

AN ANALYSIS OF THE SENATORIAL DEBATE REGARDING  
RATIFICATION OF THE UNITED NATIONS CHARTER

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A Thesis  
Presented to  
The School of Graduate Studies  
Drake University

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In Partial Fulfillment  
of the Requirements for the Degree  
Master of Arts in Political Science

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by  
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May 1971

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## CHAPTER I

### INTRODUCTION

On July 28, 1945, the United States Senate expressed what appeared to be overwhelming support for, and confidence in the United Nations Charter by voting for its ratification eighty-nine to two.<sup>1</sup> Today, over a quarter of a century after the Senate's endorsement of the United Nations' goals and principles, that organization has become the object of intense criticism and disenchantment on the part of many Americans. Indeed, a strong skepticism regarding the usefulness and effectiveness of the United Nations apparently characterizes the feelings of a large portion of the world public today. It has therefore become meaningful to go back to the senatorial debate and ratification of the Charter and to evaluate the pro and con arguments made in that debate in terms of the subsequent history of the United Nations. For example, did the senators oversell the United Nations as a peace-keeping agency, or were their arguments perceptive and realistic in the light of history? Also, what, if any, were their reservations about the United Nations, and just how prescient were the few anti-UN senators about the problems the organization would face when actually established? And,

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<sup>1</sup>U.S., Congressional Record, 79th Cong., 1st Sess. (1945) IXC, Part 6, 8190.

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finally, what effect, if any, has the senatorial debate had on the expectations and development of the United Nations to date?

## I. THE PROBLEM

The justification for a detailed analysis of the debate and final vote stems from a simple premise: that the debate was quite significant in a symbolic sense. Specifically, the debate symbolized a historic turning-point in American foreign policy from isolationism to internationalism. The world had just experienced its second devastating world war in less than three decades, and consequently the climate was most favorable for the creation of an international peace-keeping organization. In light of this fact, it was essential at the outset of this study to describe the various factors and historical events that eventually led to Senate consideration of the Charter.

Next, after examining the events that preceded Senate debate on the Charter, the arguments of the senators for and against the Charter were carefully studied and analyzed. These arguments were, of course, examined in the context of world and domestic conditions existing at the time, with emphasis on public opinion regarding the United Nations prior to the debate as evidenced by public opinion polls and the news media. Whenever significant, remarks made by a

senator out of the Senate Chamber were also examined as a means of detecting possible inconsistency or ambivalence. The various arguments were then classified and arranged in such a manner as to lend clarity and cohesion to the text. Emphasis was placed on those arguments and concerns deemed most important by the senators themselves or felt to be most relevant to this analysis by the author.

Finally, the debate was correlated with the actual development of the United Nations. This means that an effort was made to ascertain the contribution and impact of the debate on the United Nations today and its possible effect on current American disillusionment about that organization.

## II. EVENTS LEADING TO SENATE CONSIDERATION

The concept of an international organization for keeping the peace was realized after World War I in the League of Nations. Although the League failed, partly because of the lack of United States participation and support, many of its characteristics were carried over to the United Nations Charter. President Franklin D. Roosevelt was keenly aware of America's predilection for isolationism, and he therefore began planning for a united nations organization during early World War II in hopes of avoiding the fate suffered by former President Woodrow Wilson when his pleas

for joining the League were rejected by the Senate.

The Charter was drawn up while World War II was still being waged, and it largely resulted from American planning and leadership. President Roosevelt met with Prime Minister Churchill on the deck of the ship "Augusta" on August 14, 1941 to discuss ways of warding off German aggression. The decisions made at that rendezvous were promulgated as the "Atlantic Charter," in essence a statement of eight principles for attaining world peace and democracy at the close of the war.<sup>1</sup> From this point on, the United States assumed a leadership role in preparing the world for a new postwar international peace organization. A series of planning conferences followed the promulgation of the Atlantic Charter: the Declaration of United Nations in January of 1942; the Casablanca Conference in January of 1943; the Food Conference at Hot Springs in May of 1943; and the Bretton Woods Conference at Bretton Woods, New Hampshire in July of 1944.<sup>2</sup> These early meetings emphasized the functional approach to peace, which assumes that it is easier to get a consensus on economic and social matters than on other things.

On August 21, 1944, the Dumbarton Oaks Conversations began in Washington. Here the Allied Powers first discussed

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<sup>1</sup>Sigrid Arne, United Nations Primer (New York: Farrar and Rinehart, Inc., 1945), p. 6.

<sup>2</sup>Ibid.

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the creation of an international organization and exchanged ideas about their role and voice in such an organization.<sup>1</sup> The major outlines for a world organization had now been set and in February, 1945, Churchill, Roosevelt, and Stalin met at Yalta to resolve the key issues left unsettled at Dumbarton Oaks. Major issues at this conference included: a politically acceptable method of restoring a fragmented Europe; the text of voting arrangements in the Security Council; and the general question of voting, especially Russia's contention that her sixteen constituent republics should have sovereign voting rights in the United Nations.<sup>2</sup> The groundwork for San Francisco had been laid.

On April 25, 1945, fifty nations representing the anti-Axis coalition met in San Francisco to draw up the United Nations Charter.<sup>3</sup> The United States delegation consisted of Edward R. Stettinius, Jr., Secretary of State, head of the delegation, and president of the conference; Senator Arthur H. Vandenberg (R., Mich.); Senator Tom Connally (D., Texas); Representative Sol Bloom (D., N.Y.); Representative Charles A. Eaton (R., N.J.); Navy Commander Harold Stassen; and Dean Virginia Gildersleeve of Barnard

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<sup>1</sup>Inis L. Claude, Jr., Swords into Plowshares (New York: Random House, 1967), p. 53.

<sup>1</sup>Ibid.

<sup>2</sup>Ibid.

College.<sup>1</sup> On June 26, 1945, after only two months of deliberation, the Charter was unanimously approved by all fifty attending nations.<sup>2</sup> It was now ready to be referred to the prospective member states for ratification as required by their constitutional processes.

It is well to note here that during the series of conferences which culminated at San Francisco it was obvious that President Roosevelt was taking every possible precaution to avoid the mistake President Wilson had made in alienating the Senate. Roosevelt shrewdly relied on the advice of prominent members of both major political parties while constantly keeping Congress informed of new developments. He was especially careful not to exert pressure on members of the Senate, but instead to let prominent members of that body rally support among their colleagues. The United States delegates who attended San Francisco were carefully selected to emphasize the nonpolitical flavor of the venture, and it should be noted that four of the six delegates were members of Congress. Of these four, Connally and Bloom were Democrats, while Vandenberg and Eaton were Republicans. Thus, at the close of the Conference the delegates' support for the Charter projected an image of bipar-

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<sup>1</sup>Congressional Record, Part 5, 6877.

<sup>2</sup>Claude, op. cit., p. 54.

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tisan support under congressional leadership and initiative.

After Roosevelt's death in April of 1945 Truman carried on the same consensual tactics of his predecessor, while carefully avoiding any air of presumption. During the debate over ratification, this fact was succinctly acknowledged by Republican Senator Arthur Capper of Kansas, who said:

That difference in procedure between the handling of the League Covenant 26 years ago and the United Nations Charter today might seem to some a small matter; but human nature being what it is under the Constitution and the American system of government--this difference in procedure of itself might spell the difference between success and failure in getting ratification.<sup>1</sup>

The overwhelming success which the Charter enjoyed in the Senate can largely be attributed to the unobtrusive manner in which it was presented to that body by the Executive Branch; however, early discussions and resolutions in the Senate Chamber also revealed a self-directed interest on the part of many senators to establish some sort of international organization for peace. On March 16, 1943, Senators Hatch (D, N.M.), Hill (D., Ala.), Ball (R., Minn.), and Burton (R., Ohio) introduced a resolution to form an organization of the United Nations. The resolution called specifically for authority to: (1) coordinate military and economic efforts among the Allied Nations to defeat the Axis

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<sup>1</sup>Congressional Record, op. cit., Part 6, 8087.

Powers; (2) administer Axis-controlled areas after the war; (3) offer relief and economic rehabilitation to member states and Axis-occupied areas after the war; (4) establish machinery and procedure for peaceful settlement of disputes between nations; and (5) provide and maintain a military force to suppress aggression by any nation.<sup>1</sup> On October 4, 1943, Senator Wilson (R., Ia.) proposed a resolution requesting President Roosevelt to invite the friendly nations of the world to a conference for the purpose of forming and joining an international peace organization.<sup>2</sup> And on November 5, 1943, the Connally Resolution was passed in the Senate by a vote of eighty-five to five. This Resolution, otherwise known as Senate Resolution 192, signalled the receptivity of the Senate towards the creation of an international peace organization. It provided

That the Senate recognizes the necessity of there being established at the earliest practicable date a general international organization, based on the principle of sovereign equality of all peace-loving states, and open to membership by all such states, large and small, for the maintenance of international peace and security.<sup>3</sup>

The Connally Resolution also stated that any such agreement on the part of the United States Government should be made only upon the "advice and consent of the Senate of the

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<sup>1</sup>Ibid., 8106-8107.

<sup>2</sup>Ibid., 8189.

<sup>3</sup>Ibid., 78th Cong., 1st Sess. (1943) LXXXIX, Part 7, 9222.

United States, provided two-thirds of the senators present concur."<sup>1</sup> Of the five senators who voted against the Resolution, four were also present for the vote on ratification of the Charter in 1945. These four were Republican Senators Johnson of California, Langer of North Dakota, and Shipstead of Minnesota and Democratic Senator Wheeler of Montana.<sup>2</sup>

After the Charter had been submitted to the Senate for ratification it was referred to the Foreign Relations Committee for open hearings that were held from July 9 to July 15, 1945. Senator Connally, Chairman of the Committee, later stated that no one was denied a hearing who wished to be heard and that each witness had ample opportunity to fully express his or her views. The hearings moved in a rather routine manner with the majority of witnesses being supporters of the Charter. Spokesmen for several organizations and interest groups testified in support or opposition to the Charter, and the witnesses varied widely in prominence and background. The Senate seemed to have relied heavily on the testimony of John Foster Dulles, who had been one of the chief advisers to the United States Delegation at San Francisco. By way of contrast, an individual by the name of David Darrin, who was opposed to the Charter, spoke on behalf of the "United Nations of Earth Association," of

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<sup>1</sup>Ibid.

<sup>2</sup>Ibid.

which he was the solitary member.<sup>1</sup>

On July 15, after only one week of hearings, the Charter passed the Committee by a vote of twenty to one and was submitted to the Senate as a whole for debate. It was labeled "Executive F" and read as follows:

Resolved (two-thirds of the Senators present concurring) that the Senate advise and consent to the ratification of Executive F (79th Cong., 1st sess.) the Charter of the United Nations, with the Statute of the International Court of Justice annexed thereto, formulated at the United Nations Conference on International Organization and signed at San Francisco on June 26, 1945.<sup>2</sup>

The Senate was now at last entrusted with the constitutional responsibility of examining and deliberating on the provisions of the Charter as a prelude to the eventual vote on its ratification. Thus the stage was set for the ensuing debate, which will be fully analyzed in subsequent chapters of this study.

As a concluding note to this Introduction, it should be stated that the Congressional Record was the chief primary source for the basic data and materials on which this study was based. Other important sources included contemporary newspaper and magazine articles, which were used as informational supplements to the Record. The secondary sources used in the study were books relating to the his-

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<sup>1</sup>Ibid., 79th Cong., 1st Sess. (1945) IXC, Part 6, 7950-7955.

<sup>2</sup>Ibid., 8168.

torical development of the United Nations after 1945.

## CHAPTER II

### BASIC POINTS OF CONTROVERSY

One of the primary functions of the debate over ratification of the Charter was to enable the senators to discuss and clarify those provisions of the Charter that were subject to controversy. It should be noted that these specific points of controversy differed significantly from the broad ideological and philosophical arguments offered by the proponents and opponents of the United Nations as to why the creation of such an organization was desirable or undesirable. Many such points of controversy dealt with minor provisions that were not vitally important to the future operations of the United Nations; others, however, were vital to the substance of the Charter, and, depending upon the final interpretation of the Senate, would have a profound impact on the future of the organization and the role of the United States vis-a-vis the United Nations. The ultimate authority of the United Nations would to some extent be dependent upon the interpretations and conclusions attached to the various provisions of the Charter by the Senate.

The Charter did not minutely prescribe the manner in which its various articles should be carried out by the member states. The authors of the Charter wisely realized

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that if the United Nations should survive, it must be flexible enough to allow for adaptability and orderly growth. In other words, if it was to have any hope of remaining viable, it would have to permit its member states to determine the manner in which they wished to enforce its directives. Any major encroachment on the sovereign wishes of a member state, especially one of the emerging super powers such as the United States or the Soviet Union, would ultimately lead to the destruction of the United Nations. And, not surprisingly, the U.S. Senate reviewed and interpreted the Charter from the perspective of the United States national interest.

That part of the debate which focused on substantive and interpretive issues raised by the Charter often proved to be the most accurate index of the senators' true feelings about the United Nations, for during these portions of the dialogue many of the crucial reservations of the proponents were revealed. Several senators who felt it politically expedient to speak in idealistic platitudes about the United Nations manifested deep-seated ideological doubts about its purpose and practicability when questioning specific provisions. Debate on such issues as the veto rule, the international armed force, and the effect of the Charter on regional agreements constituted a significant gauge of the true sentiments of many of the senators. The overall impor-

tance of these points in controversy can scarcely be over-emphasized, for they added a realistic dimension to what would otherwise have been a deceptively harmonious forum of assent and enthusiasm regarding the Charter.

## I. THE VETO RULE AND THE SECURITY COUNCIL

One of the major concerns of the Senate was the nature and applicability of the veto by the "Big Five" permanent members of the Security Council--China, France, the Soviet Union, Great Britain, and the United States. The veto power was inferred from Article 27 of the Charter, which states that on "procedural matters" seven of the eleven members of the Council will suffice to make a decision, while "all other matters" shall require seven affirmative votes, including the unanimous consent of the Big Five. Thus, Article 27 enabled any of the Big Five to unilaterally defeat (i.e., veto) any measure that was not strictly procedural.

A basic issue raised by the Senate was whether Chapter VI of the Charter always envisaged a privilege of great power veto. This Chapter, entitled "Pacific Settlement of Disputes," contained several articles subject to contention. Article 37 stated that when parties were engaged in a dispute and were unable to solve their dispute by means of pacific settlement (i.e., negotiation, inquiry,

mediation, conciliation, arbitration, judicial settlement, or regional arrangements as mentioned in Article 33) then the Security Council should recommend appropriate terms of settlement. Article 38 added that contending parties could, on their own volition, request a recommendation by the Security Council. The question then arose: At this point in a dispute must a permanent member of the Council who is also a party to a dispute abstain from voting or may such a party exercise a veto and thereby block any discussion on recommendation about the means of solving the dispute? Senator Joseph Ball (R., Minn.) and H. H. Burton (R., Ohio) engaged in a vigorous discussion over this point, with Senator Ball contending that a permanent member veto must always apply to these articles. Senator Burton, on the other hand, maintained that if a permanent member was involved in a dispute needing pacific settlement, such a party must abstain from voting during this "recommendation" stage. He cited an interview with Dr. Pasvolsky during the Senate Foreign Relations Committee hearings in which Dr. Pasvolsky asserted, to the concurrence of the Committee, that a great power involved in a dispute must abstain from voting during considerations of pacific settlement. Burton aptly pointed out that a great power veto prior to the discussion and recommendation stage of pacific settlement would amount to a "double veto." Senator Connally, who was involved in the writing of the Charter, agreed with Senator

Burton and added that the absolute privilege of a great power veto applied exclusively to Chapter VII, Article 39, which applied to Security Council recommendations for action regarding "threats to peace, breaches of peace, and acts of aggression" as opposed to suggested means of pacific settlement.<sup>1</sup> In short, the Senate concluded that a permanent member is debarred from voting if that member is directly involved in a dispute which is subject to peaceful settlement techniques, but can veto any proposal for enforcement action under Article 39.

The debate over application of the veto under the various articles of the Charter then expanded into a much broader discussion about the propriety of the veto rule in relation to the role and duties of the Security Council. The preponderance of senators envisioned the Security Council as the "enforcement agency" of the United Nations and saw the need for great power consensus in order to ensure effective collective action. The Council was responsible for affording pacific methods of preserving the peace when possible, but when such pacific methods failed it would then be necessary to enforce peace through economic and military power. Such economic and military power could be exercised, according to most of the senators, as a means of

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<sup>1</sup>U.S., Congressional Record, 79th Cong., 1st Sess. (1945) IXC, Part 6, 8009-8011.

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arresting a conflict while it was still in its minor stages.

Senator Burton apparently spoke for the majority of the Senate when he expressed the opinion that a United Nations peace-keeping force would consist primarily of soldiers and supplies contributed by the Big Five. Therefore, he said that the Big Five must have the veto power, otherwise a situation might arise which would be "much like calling upon a sheriff to arrest himself."<sup>1</sup> He submitted that such an experience would be the death knell of the organization and also a direct order to start World War II. He argued:

The veto right in such a case is, therefore, a straightforward way of recognizing the limitation of the powers of enforcement that are inherent in this Charter.<sup>2</sup>

Senator Connally added that the veto was a realistic compromise with the unreasonable League requirement that there must always be complete unanimity for action. The Charter retained the unanimity principle only where it was imperative. He said that it was absurd to expect the United States or any other great power to send its troops to a trouble spot when it did not want to. He believed that as long as the Big Five possessed ample material resources and military might and were united in their efforts to preserve peace, it would be impossible for a major war to erupt.

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<sup>1</sup>Ibid., Part 5, 5947.

<sup>2</sup>Ibid.

However, he recognized that a great power could still initiate a war if it was desirous of doing so.<sup>1</sup>

Senator Guy Corydon (Republican, Oregon) stated that the veto provision showed profound wisdom on the part of the drafters of the Charter. He maintained that it provided a realistic margin of elasticity which recognized the stark realities of power politics. Without it, he predicted that the United Nations would "be torn into shreds and become a scrap of paper" the first time a great power refused to abide by a decision reached by the Security Council.<sup>2</sup>

Senator Eugene Millikin (R., Col.) agreed that the use of force against one of the Big Five would probably write the epitaph of the United Nations because it would admit the inability of the United Nations to perform its conciliatory functions; hence, the need for a great power veto was imperative. Like a majority of senators, he had in mind an international police force that would put out "brush fires" rather than a massive international army. He believed that such police power

. . . will probably require no more than very modest forces, that it will be infrequent, and will be aimed at nations which, because of their international and military unimportance, have not been able to find a powerful patron.<sup>3</sup>

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<sup>1</sup>Ibid., 6876.

<sup>2</sup>Ibid., Part 6, 8174.

<sup>3</sup>Ibid., 8032.

Senator James Tunnell (D., Del.) went on to point out that the small nations also supported the veto principle, as shown by their support during the drafting of the Charter. He said that the lesser nations recognized that it was to their best interest not to have a disproportionate amount of responsibility in relation to their actual power. Furthermore, he stated that their interest was identical to that of the great powers in respect to the prevention of war, and, consequently, they realized that the veto best served their objective of maintaining world peace. He concluded that the reticence of the small nations on the veto question indicated their tacit approval, and added that they realized that a universal veto would be an infringement on the sovereignty of the Big Five.<sup>1</sup>

There were several senators who expressed reservations about, or outright opposition to the veto. Senator Vandenberg, for example, thought that a practical formula should be devised to prevent a great power from invoking the veto to deter action by the Security Council after that power had intentionally acted as an aggressor.<sup>2</sup> Senator James Eastland (D., Miss.) felt that the rule of unanimity among the Big Five was a "grave weakness" that seriously

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<sup>1</sup> Ibid., 8098.

<sup>2</sup> Ibid., Part 11, A1546.

diminished the effectiveness of the United Nations.<sup>1</sup>

Senator Claude Pepper (D., Fla.) agreed, saying that the veto could "emasculate" the United Nations by enabling the Big Five to shirk their responsibilities to the other nations of the world.<sup>2</sup> It should be emphasized, however, that the talk of reservations or opposition on the part of these senators was minimal and low-keyed. As one would have expected, there was little objection to a provision that protected United States power and sovereignty.

The only other question that came up over the veto concerned the possibility of one of the Big Five exercising a "late" veto. Senator Leverett Saltonstall (R., Mass.) hypothesized a situation where the Big Five voted unanimously to use force, then later a particular nation sought to use its veto because it had changed its mind or disagreed with the method by which the approved action was being administered. Senator Burton retorted that this would be unreasonable, for if the United States wished to change its course in the middle of a campaign, any nation could do the same, thus rendering the United Nations impotent. He said that once the Big Five had unanimously made an affirmative decision, their individual right to use the veto was surrendered.<sup>3</sup>

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<sup>1</sup>Ibid., Part 5, 8072.

<sup>2</sup>Ibid.

<sup>3</sup>Ibid., 8015.



## II. ARTICLE 43 AND THE COMMITMENT OF UNITED STATES TROOPS

Some of the most significant debate over ratification of the Charter concerned paragraph one of Article 43, which provided for the contribution of armed forces, assistance, and facilities to the United Nations by the member states. Here, it may be said, lay the crux of the Charter: the commitment of a portion of a nation's military resources to an international peace force for the maintenance of world peace and security. The primary issue confronting the Senate in this regard was to what extent the United States wished to entrust the backbone of its power--its military might--to an organization largely beyond its sovereign control. Paragraph one of Article 43 reads as follows:

I. All Members of the United Nations, in order to contribute to the maintenance of international peace and security, undertake to make available to the Security Council, on its call and in accordance with a special agreement or agreements, armed forces, assistance, and facilities, including rights of passage, necessary for the purpose of maintaining international peace and security.

The language of this paragraph required the Senate to determine the degree of commitment which the United States would make. Some of the questions that structured the debate on this issue were these: What constituted an "armed force" and what quota would be supplied by the member states? What sort of "special agreement" must be made to establish such a force? What sort of conflict required

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international intervention to preserve "international peace and security"? Who should be the primary contributors to such an armed force, the smaller states or the great powers? And, last, what should the role of such a force be: to act merely as a "policeman" responsible for "putting out brush fires," or to carry out massive collective action against an aggressor in an all-out effort to end hostilities?

The most intensive and lengthy debate over ratification involved paragraph three of Article 43. This provision presented a crucial question to the Senate: Who, at the national level, would be responsible for committing United States troops to the international force--the President or Congress? Furthermore, if Congress was responsible for such a decision, should the commitment be made by joint resolution of both houses or should such responsibility lie with the Senate under its constitutional treaty obligations? The Senate, it seemed, was charged with deciding this issue, for paragraph three said only that such troop commitments "shall be subject to ratification by the signatory states in accordance with their respective constitutional processes."

The international peace force: its role and make-up.  
Many of the senators felt that the commitment of United States military resources, particularly troops, posed as an ominous threat to the sovereignty and security of the

nation. A common theme throughout this portion of the debate was the menacing possibility of United States entanglement in a foreign struggle which would eventually expand into a major war, perhaps even a world war. This contention will be discussed in detail in a subsequent chapter, for it was a primary argument propounded by the opposition as to why the United States should not join the United Nations. The purpose of this chapter is, however, to examine those problems inherent in determining the creation, role, and magnitude of an international peace force and the procedure by which United States resources should be committed to such a force.

Article 43 required, among other things, that the member states supply an "armed force" to the Security Council. Surprisingly, debate about the nature of such a force and the extent of United States contributions thereto was minimal. A close analysis of the discussion on the floor reveals several possible reasons for this paucity of debate. First, the Senate's members were not worried about the nature of such a force if they could be assured that the ultimate decision regarding troop quotas and commitments would remain under their control. And second, the senators realized that the releasing of such a force must be in "accordance with a special agreement or agreements," and in light of this consideration they were willing to postpone

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the problem of determining the exact nature of such a force until after ratification--provided, of course, they reserved the exclusive right to formulate such "special agreement(s)." Senator Connally emphasized that the debate over ratification should deal with the issue of ratification and not with technical questions concerning the implementation of specific provisions. He explained that if the Charter should be ratified, it would later become necessary for the Senate to deliberate on such technical questions at the appropriate time.<sup>1</sup>

There was, however, a limited amount of debate over the nature of the international peace force. Senator Millikin described his concept of such a force as a "police power" requiring "no more than very modest forces."<sup>2</sup> He further stated that police action by such a force would be aimed at small nations that had not aligned with a great power.<sup>3</sup> His statements all but stood alone in the matter of the composition and role of the international force. Very few senators challenged his particular vision of the proposed force, thus indicating a general consensus that such a force would be small in size, would be comprised of limited troop quotas from the member states, and would only engage in policing activity involving disputes among minor powers.

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<sup>1</sup>Ibid., 8028-8029.

<sup>2</sup>Ibid., 8032.

<sup>3</sup>Ibid.

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His comment about a great power-small power alignment is noteworthy, because it was a forecast that after World War II the smaller nations would generally choose to align with the great powers for protection. It may, therefore, be inferred that Senator Millikin doubted the effective applicability of an international police force, since those small nations which were aligned with a great power faction would rely on that power to use the veto as a means of preventing collective action against them.

One of the few senators who differed somewhat with Senator Millikin about the nature of an international peace force was Senator Burton. He observed:

The armed forces of the UN will be, therefore, an Allied force comparable to that used in World War II, but greatly reduced in size and cost. This reduction will reflect the reduced need for Allied army forces in the light of the Allied victory over all enemy forces in the world and in the light of the continuing cooperation of the Allied Nations through the formation of the UN, dedicated to the maintenance of international peace and security.<sup>1</sup>

Burton, in short, optimistically envisioned a grand peacetime alliance among the powers that had been victorious in the late war.

A small part of the debate dealt with the meaning of the "rights of passage" phrase in Article 43. Senator Abe Murdock (D., Utah) asked if this phrase could be stretched to include the "occupation" of a country for the purpose of

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<sup>1</sup>Ibid., Part 5, 5948.

maintaining international peace and security. Senator Burton replied that "you cannot fight just part of a war; you must fight it all the way," even if the occupation of a country by the international force becomes necessary to preserve the peace.<sup>1</sup> Senator Connally partially agreed, but went on to explain that the "rights of passage" provision was added to the Charter at the request of France, which felt such a provision might be necessary to enable the United Nations to take action against a possible aggressor (e.g., a march through Belgium to facilitate military operations against Germany). Connally stated that in such a case "passage" would have to be construed narrowly, thus applying only to occupation and control of a country's military facilities in order to perform necessary military operations.<sup>2</sup>

Some concern was expressed among the senators as to what sort of conflict warranted intervention on the part of the international force. The consensus was that the United Nations should not become embroiled in a domestic revolution or uphold the interest of a colonial power to preserve the dependent status of its colonies. Senator Connally pointed out that paragraph seven of Article 2 forbade the United Nations from intervening in any matter that was

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<sup>1</sup> Ibid., Part 6, 8016.

<sup>2</sup> Ibid.

essentially within the domestic jurisdiction of a nation. He also maintained that a quarrel between a mother country and its colony (e.g., Great Britain versus India) would be considered domestic in nature and thereby foreclose United Nations intervention.<sup>1</sup>

United States Military Commitments: Congress vs. the President. The Senate felt it imperative that the final authority to determine the contribution of American troops and other military resources must be vested in Congress and not in the Presidency. Many days of meticulous debate were devoted to this subject so as to leave no doubt as to the special legislative intent. Paragraph three of Article 43 stated that the contribution of armed forces and other military assistance by the member states on the Security Council should be determined by "agreement or agreements" between the Security Council and its members in accordance with each nation's "constitutional processes." Coupled with the concern over possible presidential troop commitments was an important, yet secondary issue as to whether such authority lay ultimately with the Senate under its constitutional treaty-making powers or whether the final decision must be accomplished under a joint resolution by Congress.

The opinion was offered throughout the debate that

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<sup>1</sup>Ibid., 8014-8015.

the President was not empowered with the authority to determine initially the quota of United States troops and military resources to the United Nations. No Senator advocated the contrary, and a close examination of the debate reveals that the question of troops being committed by executive agreement was hardly a point of controversy, as consensus was unanimous that such commitment was the responsibility of the legislative branch. Nevertheless, the senators continually re-emphasized this point to emphasize their position. President Truman himself corroborated the Senate's position when he wrote Senator Kenneth McKellar (D., Tenn.) from Potsdam on July 27, 1945:

When any such agreement or agreements [regarding Article 43 and the commitment of troops to the Security Council by the member states] are negotiated it will be my purpose to ask the Congress for appropriate legislation to approve them.<sup>1</sup>

Senator Claude Pepper (D., Fla.) defended the view of the Senate by tracing the constitutional source of authority which directed Congress to determine troop quotas and commitments. He insisted that Congress alone had the right to declare war and to provide for the common defense, and he also argued that those powers not expressly granted by the Constitution were inherently possessed by Congress as a result of United States v. Curtiss Wright Corporation 299 U.S. 318 (1936) and United States v. Arjona 120 U.S. 479

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<sup>1</sup>Ibid., 79th Congress, 8185.



(1887).<sup>1</sup>

Heated arguments ensued over the role of the President in executing the responsibilities conferred on him by Congress after the troop quotas had been assigned to the United Nations. For, after a treaty has been made, the President clearly has the power to use forces in such a way as to uphold the supreme law of the land. Did this mean that the President could commit such troops at his pleasure, or should he first be required to consult with Congress? Also, could he increase the quota granted him by Congress, or must he limit his commitment to those troops specifically authorized by Congress? These questions were never neatly resolved. Some senators, for example, felt that for the President to commit previously approved United States troop contingents to the international force without first consulting Congress was tantamount to treason. Others, however, argued that this was simply a legitimate exercise of his executive duties.

Most senators supported the position taken by Senator Millikin that once the troops had been committed to the United Nations they were subject to the command of that organization at the discretion of the President in his role of defending the nation. If the need should ever arise for committing forces that exceeded the original allocation

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<sup>1</sup>Ibid., 8074.

intended for "policing" action, however,--that is, if the United Nations should be threatened with the necessity of conducting war then the President would be required to keep Congress fully advised of the situation and provide Congress with ample time to review the question, give instruction, and authorize the additional forces.<sup>1</sup>

A substantial minority of senators argued that the President need not consult Congress for additional troops if a situation dictated that he use "reasonable" force to uphold the Charter and provided, of course, that the action was to be within the "policing" authority of the United Nations. Those who supported this argument contended that since the Charter was a treaty, the President had the legal right to see that it was fully carried out. Senator Albert Chandler (D., Ky.) pointed out that the President had so acted on numerous occasions. The last time was in 1941, when President Roosevelt sent troops to Iceland to relieve the British in protecting the interests of American shipping and commerce.<sup>2</sup> Ironically, Senator F. William Fulbright (D., Ark.) was one of the most vociferous supporters of presidential authority in this area. In regard to the position advocated by several senators that any additional troop allocations must be approved by Congress, even if for

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<sup>1</sup> Ibid., 8032-8033.

<sup>2</sup> Ibid., 8032.

policing purposes, Fulbright said:

Would not the Senator [Lucas of Illinois] agree that if the Congress undertook to restrict the President in the exercise of the power which is placed within his discretion for purpose of enforcing law and protecting our interest, it would be wrong to do so?<sup>1</sup>

Senator Chandler suggested that a concurrent resolution be passed that would authorize the President to use United States armed forces in order to fulfill any obligations that arose under the Charter. He wished to delegate the right to use such power to the President until checked by Congress, and he argued that such a check could be invoked at any time prior to the formal declaration of a state of war.<sup>2</sup>

A few senators, notably Senators Wheeler, Langer, and Shipstead, argued that the President had no constitutional authority whatever to commit troops. Senator Wheeler construed John Foster Dulles' testimony before the Senate Foreign Relations Committee very narrowly. Dulles had said that it was his view and he believed the view of the entire United States delegation that any agreement to provide military forces to the United Nations would have to be submitted to the Senate for negotiation and ratification in the same way as a treaty.<sup>3</sup> Wheeler argued that what Dulles had said

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<sup>1</sup> Ibid.

<sup>2</sup> Ibid., 8115.

<sup>3</sup> Ibid., 7990.

not only applied to the original military contingent, but likewise applied to any subsequent action involving that contingent. In short, according to Wheeler, the President could never commit troops without first of all consulting Congress.<sup>1</sup>

United States military Commitments: Senate ratification vs. joint resolution. After the debate had clearly recorded the view of the Senate that any commitment of United States military forces to be used in excess of "policing" action could not be made simply by presidential executive order, it became necessary to determine whether such a commitment must be determined by Senate ratification or by joint resolution of both houses of Congress. The importance of this question was considerable, for if it was decided that such authority lay alone within the purview of the Senate, then any authorization for additional military contingents would require a two-thirds supporting vote as opposed to the simple majority needed for a joint resolution. More time was devoted to this issue than to any other single question during the Senate debate, and the final decision was left hanging, although about three-fourths of those senators speaking on the issue favored the joint resolution approach.

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<sup>1</sup>Ibid.

Those senators favoring the joint resolution offered numerous arguments as to why this method was necessary. Senator James Tunnell (D., Del.) stated that the Senate was presently considering ratification of the United Nations Charter as a treaty between the member states. After the Charter had been ratified, he maintained, the United States would be bound by Article 43 to make available to the Security Council "armed forces, assistance, and facilities" by "special agreement or agreements." He further insisted that a treaty was an agreement between independent states, and the Security Council could not be considered as such. He said that to require ratification of later agreements would be the equivalent of recognizing the Security Council as a sovereign state, indeed, as a "super state." By doing that, the United States would abdicate its own sovereignty by placing the Security Council on a "higher plane than it was ever intended to be placed. . . ." <sup>1</sup> Furthermore, Senator Tunnell foresaw a dangerous possibility in considering subsequent agreements with the Security Council as treaties:

. . . the agreement with the Security Council simply determines the amount of the assistance, as I understand; and I do not believe that such an agreement should be given the sanctity of a treaty, because I think there are implications in that position to which we might hesitate to agree. <sup>2</sup>

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<sup>1</sup> Ibid., 8096.

<sup>2</sup> Ibid., 8097.

Tunnell also feared that by viewing every agreement between the Security Council and United States as a separate treaty, the United States would be forced to follow through on obligations incurred through the treaty, even though such obligations might later prove to be unwise.<sup>1</sup> Senator Lister Hill (D., Ala.) aptly described the Charter as a "master agreement" and asserted that it was unreasonable and impracticable to expect the Senate to ratify any future agreements by a two-thirds vote without giving the House of Representatives any say in the matter.<sup>2</sup>

Senator George Aiken (R., Vt.) feared that a treaty requirement after ratification would permit a small minority of senators to sabotage the military effectiveness of the United Nations. He suspected that even though there was presently a wave of enthusiasm for the Charter, a small core of senators would not hesitate to nullify the participation of the United States in the United Nations if given the chance at a later date.<sup>3</sup>

A minority of senators, including such influential figures as Vandenberg, Connally, and Robert Taft (R., Ohio) contended that any additional military commitments should definitely be ratified by the Senate. This minority relied heavily on the testimony given by John Foster Dulles before

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<sup>1</sup> Ibid., 8096.

<sup>2</sup> Ibid., 7987.

<sup>3</sup> Ibid., 8078.

the Foreign Relations Committee, when he said:

. . . the agreement which will provide for the United States military contingent will have to be negotiated and then submitted to the Senate for ratification the same way as a treaty.<sup>1</sup>

They also stressed the fact that the two senators who had attended the parley in San Francisco, Connally and Vandenberg, both favored the treaty approach over that of the joint resolution. These two senators refused to vigorously or actively support the treaty approach, however, and carefully guarded their image as objective, bipartisan leaders whose paramount concern was ratification of the Charter. They both emphasized that while they favored the treaty method, they did not feel that this was an issue of major significance; their main concern on this matter was that the President would not be responsible for such commitments.<sup>2</sup>

Senator Taft, on the other hand, argued strongly and persistently that a treaty was necessary in such a case. He pointed out that there is no place in the Constitution which grants Congress the authority to make or approve any agreement with a foreign nation by joint resolution. He answered his opponents' contention that the Constitution provided "Congress" (meaning both Houses) with the power to "raise and support armies" by replying that such authority did not extend to "agreements." Moreover, he insisted that if and

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<sup>1</sup>Ibid., 7990.

<sup>2</sup>Ibid., 7990-7992.

when Congress ratified the Charter, the country would thereby enter into a general treaty arrangement with signatory nations. Any special agreement at a later date must therefore be classified as a supplemental treaty to the general treaty, since such agreement would involve and affect all other nations in the United Nations with whom the original treaty was made.<sup>1</sup> Senator Guy Corydon (R., Ore.) criticized those of his colleagues who supported the joint resolution alternative. He felt they were inconsistent by also supporting Article 18 of the Charter, which required that decisions on "important" questions must be made by a two-thirds majority. He noted that this was the same ratio required for Senate ratification, and questioned how such fervent Charter supporters could also assault the treaty approach.<sup>2</sup>

No definite conclusions were reached on the treaty-joint resolution issue, for after those senators desiring to air their views had been given their chance on the floor, they were content to let the subject rest as closed until after the vote on ratification. On Saturday, June 28, President Truman appeared briefly before the Senate--just before a vote on the Charter was to be taken--and proclaimed that military agreements with the United Nations would be

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<sup>1</sup>Ibid., 7999.

<sup>2</sup>Ibid., 8173.



submitted to both Houses of Congress.<sup>1</sup> His remark evoked no protest from the Chamber, thus setting the precedent for joint congressional determination of United States military contingents to the United Nations.

### III. THE VALIDITY OF REGIONAL AGREEMENTS

Some concern was expressed among the senators over the possibility that United States regional agreements would be overshadowed by the United Nations, thus losing their preeminence and, eventually, their validity. This concern was obviously related to the overall question of sovereignty, for the same senators who displayed fear over the creation of a "world government" and the "unconstitutional" commitment of United States armed forces to the United Nations also questioned the validity of United Nations intervention in disputes concerning previous United States treaties and regional agreements. Most prominent among these were Senators Harlan Bushfield (R., S.D.), Wheeler, Langer, and Shipstead. These senators seemed particularly concerned about the effect that Article 43, which required the member states to commit military contingents to the United Nations, would have on the Monroe Doctrine and the recently enacted Act of Chapultepec. The Monroe Doctrine, promulgated by

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<sup>1</sup>Ibid., Part 12, A3681.

President James Monroe in 1823, stated, in effect, that any infringement on the sovereignty of Latin American states in the New World by a European nation would be looked upon as a challenge to the United States and would be met accordingly.<sup>1</sup> The Act of Chapultepec, which was adopted early in 1945 at Mexico City, was a formal declaration of cooperation among all the American nations to meet any threat from abroad.<sup>2</sup>

The problem of regional security arrangement versus a United Nations peace force had its origins in friction at San Francisco, where, according to Senator Vandenberg, this issue presented an impasse that betokened disaster.<sup>3</sup> When the Charter was referred to the Senate for consideration, it was feared that a similar impasse might develop. Senator Bushfield contended that the Monroe Doctrine was exempt from Chapter VIII of the Charter, which referred to regional arrangements, because it was not promulgated as a regional arrangement, but as a unilateral declaration by the United States. Senator Connally replied that the Doctrine could no

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<sup>1</sup>Richard Hofstadter, William Miller, and Daniel Aaron, The American Republic, Vol. I (Englewood Cliffs, New Jersey: Prentice-Hall, Inc., 1964), p. 360.

<sup>2</sup>Cecil V. Crabb, Jr., American Foreign Policy in the Nuclear Age (second edition; New York: Harper and Row, 1965), p. 270.

<sup>3</sup>U.S., Congressional Record, 79th Cong., 1st Sess. (1945) IXC, Part 6, 7956.

longer be considered unilateral, since it had come to be respected and recognized by nations throughout the world.<sup>1</sup>

During the debate it soon became evident that those few senators who feared United Nations infringement on regional agreements would be unable to rally any general anti-United Nations sentiment by attacking this issue. The authors of the Charter had taken special pains to avoid trouble in this regard by providing in Chapter VIII that those matters relating to international peace and security should be referred to regional arrangement whenever appropriate and possible. No member of the United Nations was to refer a dispute to the Security Council until an attempt had been made to achieve a peaceful solution through pacific settlement. As a result of these provisions, almost all of the potential resistance to the Charter on this basis was stymied in advance.

Senator Tunnell argued that the Charter would not cancel the Monroe Doctrine, but would instead complement it. He also insisted that this Doctrine would be more clearly defined through its recognition by the member states of the United Nations. Likewise, he felt that the United Nations would positively aid in the enforcement of the Doctrine, because if a difficulty should arise, the United States would have not only the support and assistance of the

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<sup>1</sup>Ibid., 8063.

nations of the Western Hemisphere, but presumably of the entire United Nations. Consequently, he said that the Charter would act to fortify instead of destroy the Monroe Doctrine.<sup>1</sup>

Senator Vandenberg pointed out that the United States would in no way be prevented from contributing troops to the solution of a regional problem. He defended the value of regional arrangements as a way of preventing local conflicts from spreading while emphasizing their compatibility with an international peace force.<sup>2</sup> As a result of the persuasive abilities and tact displayed by such senators as Tunnell and Vandenberg, the "regionalist" senators were mollified into silence by the near unanimous support for some kind of an international peace force by their colleagues.

#### IV. THE POWERS OF THE UNITED STATES DELEGATE

Another point which the Senate wanted to clarify was the projected power of the United States chief delegate to the Security Council. To whom, for example, would the delegate be answerable? To what extent would he be allowed to make decisions without consulting the President or Congress? And what limits should be placed on him to curtail his potentially great decision-making power?

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<sup>1</sup>Ibid., 8099.

<sup>2</sup>Ibid., Part 11, A1546.

Senator Shipstead expressed extreme concern over what he felt to be the extraordinary power of the delegate. He believed that the person acting as delegate would be endowed with powers exceeding those of any other representative of the United States Government. Indeed, he feared that the delegate would even be empowered with the authority to plunge the United States into war without even consulting Congress. Shipstead insisted that "We cannot permit our representative to sit on the Security Council endowed with equal powers with a totalitarian representative."<sup>1</sup> He proposed instead that the delegate be subject to legislative control by requiring him to make monthly reports to a special Senate committee created expressly for this purpose. He asserted that this committee should be composed of an equal number of representatives from both major political parties and should possess the authority to vote on any Security Council question requiring a unanimous vote. In the case of a tie, the President would cast the deciding vote.<sup>2</sup> Senator Edward Moore (R., Okl.) shared Senator Shipstead's concern to a degree, as evidenced by Senate Resolution 158, which was referred to the Foreign Relations Committee. This resolution proposed that the delegate would be under the direction of the President and that any decision to commit United States troops must be referred to

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<sup>1</sup>Ibid., Part 6, 8122.

<sup>2</sup>Ibid., 8123.

Congress by the President before a vote could be cast by the delegate. Furthermore, the delegate would be expressly prohibited from committing the United States to any spending, loaning, or borrowing of money in excess of the police authority assumed under Article 43 unless Congress had appropriated money for this purpose or passed a law specifically authorizing such action.<sup>1</sup>

Most of the senators were not in accord with the arguments for circumscribing the power of the delegate to the extent advanced by Senators Moore and Shipstead. The majority maintained that the delegate should have some leeway in making decisions and that Congress did not have either the time or desire to evaluate every vote he would be called on to cast in the Council. The prevailing view was that in those cases not involving commitments in excess of police action the President should exercise direct authority and direction over the delegate. These senators regarded the delegate as nothing more than an ambassador who would be dealing largely with routine operations and reporting through the State Department to the President. Senator Charles Andrews (D., Fla.) said that when an important question came up, the Secretary of State or even the President himself should sit on the Council.<sup>2</sup> The general consensus,

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<sup>1</sup> Ibid., 7746-7747.

<sup>2</sup> Ibid., 8176.

then, was that the delegate would be only a diplomatic agent of the President, who in turn would have to consult with Congress before acting in a situation that might lead to war.

#### V. JURISDICTION OF THE INTERNATIONAL COURT OF JUSTICE

Chapter XIV of the Charter, establishing the International Court of Justice, was subject to varying interpretation by the Senators. The crux of the task facing the Senate was to ascertain the extent of the Court's jurisdiction. Chapter XIV was equivocal on this question, saying only that

Each Member of the United Nations undertakes to comply with the decision of the International Court of Justice in any case to which it is a party.

The vital questions as to what types of controversies would be adjudicated by the Court and whether such controversies should be submitted for review voluntarily or by compulsion were left unanswered by the Charter. It was therefore proper for the Senate to scrutinize the Charter and seek to determine the kind of judicature that should be entrusted to the Court.

Senator Wayne Morse (R., Ore.) and Senator Millikin engaged in a lively exchange on the floor over this issue. Morse felt that the path to world peace and order could be achieved only after the nations of the world agreed to accept a system of international law under which all nations

consented to subject themselves to the compulsory jurisdiction of the Court. He believed that only in such a case could the Court be instrumental in solving disputes while facilitating rules of order and reason among nations. The Court, he stated, would not be as sensational as the Security Council, and thus it would lack much of the latter's glamorous appeal and publicity. Nevertheless, he believed that it would be more effective because it would be the only alternative to war when disagreements reached a stalemate, and because it would compel countries to submit their disputes to the rule of law and accept a verdict.<sup>1</sup> He felt, too, that the legal approach was the only real approach to peace, and he submitted a resolution to the Foreign Relations Committee that would have required the United States to submit any dispute of an international nature to the International Court of Justice for adjudication.<sup>2</sup>

Senator Millikin intimated that Morse's arguments were rather idealistic and thus impractical. He was particularly concerned that the "Hackworth Opinion," discussed by Morse, should not be construed as an expression of senatorial opinion that would become binding in the future.<sup>3</sup> This opinion, which was expressed by Judge Hackworth on behalf of the State Department in a letter to Senator Vandenberg,

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<sup>1</sup>Ibid., 8159-8164.

<sup>2</sup>Ibid., 8164.

<sup>3</sup>Ibid., 8183.



said, in essence, that in a case where the United States was simply involved in collecting claims from another country and the settlement involved no possible loss on the part of the United States, the President could submit the case to the Court without consulting Congress.<sup>1</sup> Millikin's concern over this opinion revealed a strong conviction that Congress should always retain the ultimate say as to what cases should be submitted to the Court for review, and that compulsory jurisdiction by the Court would be a clear encroachment on the sovereignty of the United States.

Some debate also centered around the question of who should determine whether a dispute would be referred to the Court--the Senate only or the Congress as a whole. This question, however, was not long discussed, since there were no strong objections to the interpretation advanced by Senator Connally that this was clearly the President's prerogative. If the President elected to submit the issue to Congress as a whole, this would, of course, be acceptable. Only when there was a dispute about a treaty approved by the Senate would the Senate retain exclusive jurisdiction.<sup>2</sup>

## VI. THE TIME FACTOR IN RATIFICATION

At the outset of the debate, some discussion centered

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<sup>1</sup> Ibid.

<sup>2</sup> Ibid.

around the problem of how much time should be devoted to a discussion of the Charter prior to the vote on ratification. Most of the senators realized that an in-depth debate over every provision of the Charter would be exhausting and consume many months. Furthermore, they also realized that the Charter had been formally drafted and that it was not within their sphere of authority to alter its basic form. They were only responsible for interpreting those provisions that were open to ambiguity and needed clarification. It was therefore necessary for them to determine in advance how much time and coverage of principal issues would be adequate.

All but a few senators realized the importance of adequately reviewing the Charter and not glossing over provisions that might be subject to varying interpretations. Senator George La Follette (Progressive, Wis.) pointed out that the Senate could do the Charter no more harm than to rush through its passage. He said that this would give the world the impression that the Senate did not consider the document worthy of spirited debate and did not consider its provisions of sufficient importance to merit examination. He said that there was not a Senator present who could outline all of the intricate matters contained in the Charter, and he felt that it was imperative that the American public hear of the kinds of interpretations that would be placed

upon the language of the Charter.<sup>1</sup> Senator Styles Bridges (R., N.H.) said that the Senate not only had a responsibility to elucidate the positive factors contained in the Charter, but was also responsible for probing into its weak provisions so that the people of the United States would have an opportunity to know its faults. He said:

This is a turning point in the history of our government and our people. We are about to enter upon a program of world cooperation such as we have never before attempted. The deflection from our prior course is so great that we must not make it blindly. The effect of this document can be to chart the course of the world for untold generations to follow us.<sup>2</sup>

Senator Fulbright repeated Senator Bridges' concern and expressed frustration over the casual manner in which the majority of senators were appraising the Charter. He said that this document ranked in importance with the Declaration of Independence and the Constitution, and he felt that the manner in which the Senate was treating it was a complete departure from traditional policy in international relations. He accused those senators who were previously isolationists of cloaking their opposition to the Charter in silence and thus presenting to the public an image of unanimous Senate support for the Charter. He pointed out that the Reciprocal Trade Act and Bretton Woods proposals had been vigorously opposed and yet were integral

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<sup>1</sup> Ibid., Part 5, 6917-6918.

<sup>2</sup> Ibid., Part 6, 8165.

parts of the general plans and purpose of the Charter. He said:

I have a feeling, Mr. President, that perhaps the Charter has been oversold, both to the public and to the Senate. By this I mean that the obligations and responsibilities we are assuming have been played <sup>1</sup> down and have been presented in a negative manner.

Senator Alben Barkley (D., Ky.) disagreed with those senators who advocated a prolonged debate over all provisions in the Charter. He felt that it was paramount for the United States, as a great power, to lead the way in ratifying the Charter. He feared that debate would become bogged down in the Foreign Relations Committee, and he therefore recommended a Senate vote to waive the necessity of its being reviewed by that Committee. He insisted that all senators should have ample opportunity to be heard, but he felt that the public was already informed as to the general meaning and purpose of the Charter.<sup>2</sup> Moreover, he feared that the Chamber debate would become burdensome if the usual procedure for ratifying a treaty was followed: if every sentence of the Charter was reviewed in step-by-step fashion.<sup>3</sup> The Senate ultimately decided to dispense with the sentence-by-sentence approach to its debate of the Charter, but it emphatically rejected Barkley's proposal for waiving the Committee hearings.

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<sup>1</sup> Ibid., 7962.

<sup>2</sup> Ibid., Part 5, 6916.

<sup>3</sup> Ibid., Part 6, 7940.

## CHAPTER III

### MAJOR ARGUMENTS OF PROPONENTS

Those senators who supported the Charter offered many reasons, ranging from the idealistic to the practical, for suggesting it would be in the United States interest to join the United Nations. They all felt that the United Nations would at least partially eliminate the root causes of war; economic and social ills would be reduced through international cooperation; political rivalries between nations would wane with the advent of international understanding; and, aggression-minded leaders would be better contained and forced to draw back under the critical scrutiny of the new organization. It was also argued that the United Nations would actively promote peace through operative channels. Collective security, pacific settlement of disputes, economic and social collaboration, international debate, world law, and trusteeship, would henceforth be employed to assure the peace. And last, it was pointed out that the United States had a moral obligation to join the United Nations over and beyond our selfish interests, for without our membership the organization would surely be doomed to failure.

Few of the senators were so naïve as to pretend that the United Nations would eliminate all war and animosity

between nations or at once establish international social justice and economic prosperity. They realized, of course, that the United Nations was an experiment, and as such, quite vulnerable to the multifarious forces which had provoked two world wars during the twentieth century and brought about the destruction of the League of Nations. It was felt, however, that the United Nations offered, at worst, a ray of hope--a possibility that some of the goals of a peaceful world order might be attained and the ominous possibility of a third world war averted by its establishment.

#### I. REDUCTION OF THE CAUSES OF WAR

Before the proponents of the Charter could extol the virtues of that document as an avenue to peace, it was first of all necessary for them to identify the causes of war which the Charter proposed to hold in check or eliminate. There are many causes of war: poverty, depression, tyrannical leaders, distrust and misunderstanding among nations, cut-throat economic competition, imperialism, fanatical nationalism, and chauvinism, to name a few. The senators realized that they must relate these causes to the pertinent provisions of the Charter before it would be possible to show the manner in which such causes could be effectively removed by the United Nations. That is why many hours of debate were devoted to the factors which had generated past

wars.

An analysis of the debate reveals that the senators generally agreed that previous wars had been started by many complex and interrelated factors. Most felt, however, that the basis of these causal factors was economics. They believed, in other words, that economics was the spark that ignited a series of explosions, such as the sudden rise of demagogic leaders or imperial aggression. Senator H. Alexander Smith (R., N.J.) said that wars were often started because of competition for raw materials and other basic resources.<sup>1</sup> Senator Burton agreed, and said that he feared that Middle East oil interests could very easily set off the next war between the great powers. He believed that the only remedy for this type of situation would be some sort of international regulation of resources.<sup>2</sup> Senator Aiken felt that the threat of war would always loom heavy until poverty and starvation were eliminated from the world.<sup>3</sup>

Senator Langer, going further, took the position that a selfish wealthy elite fomented wars to promote their own economic interests. He accused this class of ignoring the rights and freedoms of the working class while plotting war. He did not believe that the prospect of another war could be

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<sup>1</sup>U.S., Congressional Record, 79th Cong., 1st Sess. (1945) IXC, Part 6, 8033.

<sup>2</sup>Ibid., Part 5, 5936.

<sup>3</sup>Ibid., Part 6, 7854.

erased until this class was overthrown and the concepts of racial equality, religious respect, and equal educational opportunity were established as a way of life.<sup>1</sup>

Senator James Murray (D., Mon.) felt that there never would have been a World War II had it not been for the economic tragedy in Germany which pushed Hitler into power. He described the ruthless leaders of nations who promoted war as criminals who captured political power because economic and social injustice caused mass unrest. He also stated that many of the world's economic problems were insoluble on a national level, and he supported economic planning on a worldwide scale as the cure for such ills.<sup>2</sup>

Several senators maintained that political "turmoil" was the primary cause of war and that such turmoil operated independently of economic issues. These senators apparently argued this point chiefly because those senators who contended that economic problems were the primary cause of war were, at the same time, using that argument to justify United States financial support in such international ventures as the Bretton Woods Agreement, the Reciprocal Trade Agreements Act, and the United Nations Food and Agriculture Organization. Senator Taft was the chief spokesman of this faction, and he tried hard to prove that political factors

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<sup>1</sup>Ibid., Part 11, A2624.

<sup>2</sup>Ibid., 8130.



were the basic causes of war. In defense of his position, he maintained that a future war was far more likely to develop from the political situation in Central Europe than from economic distress in other areas of the world. He felt that the United States would be "giving away" twenty billion dollars a year that could not possibly be paid back under the Bretton Woods Agreements while ignoring the impending political crises in Poland, Lithuania, and the Balkans. He also said that he doubted whether economic problems caused the last war, for the conflict was initiated by the more affluent nations of the world that craved more power and territory.<sup>1</sup>

There were many other factors adduced as causes of war, although the discussants of these did not try to separate or isolate them from the basic premise that economics was the progenitor of all causes. Senator John McClellan (D., Ark.) asserted that war was an ongoing process--that war tended to beget war. He felt that the bitter hatreds and feelings of vengeance between nations were a carryover from previous wars and that these feelings festered for generations. As he put it:

The result is that these smoldering fires can easily be fanned and inflamed by tyrannical leadership who seek and see the opportunity for military conquest, self-aggrandizement, and world power, and then another war becomes inevitable.<sup>2</sup>

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1Ibid., 3156.

2Ibid., 3082.

McClellan likewise subscribed to the pessimistic theory that animosity between nations was an intrinsic quality of the nation-state system and that the rise of diabolical leaders was an inevitable consequence of this condition.<sup>1</sup>

Senator Fulbright believed that the overemphasis on "sovereignty" was a key factor in the development of wars. He attacked the first principle of Article 2, which insured the "sovereign equality" of all the member states, saying that this phrase only reinforced that principle which the United Nations should be trying to dispose of. He felt that this word had a medieval connotation that encouraged and justified the passion of extreme nationalism. He believed further that sovereignty should end at a nation's domestic borders, and he maintained that under its present guise it was used as a justification for aggressive behavior.<sup>2</sup> In short, Fulbright equated "sovereignty" with extreme nationalism and felt that until such an ethnocentric approach to relations among nations was abandoned, there was little hope of avoiding another war.

## II. THE CHARTER AS A POSITIVE PROMOTER OF PEACE

The Charter was designed to offer various approaches to peace, ranging from pacific settlement and functionalism to global security. These approaches, as outlined in the

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<sup>1</sup>Ibid.

<sup>2</sup>Ibid., 7963-7964.

Charter, were the essence of that document--the actual means by which the United Nations would attempt to maintain world peace. Therefore, most of the arguments advanced by the proponents as to the necessity for joining the United Nations were based upon the operational means which that organization would employ to realize peace. Those senators who supported the United Nations realized that if they were to be successful in selling the Charter as an effective promoter of peace they must convince the skeptics that the various approaches to peace provided therein were feasible and viable.

The economic and social benefits. Because the majority of senators felt that economic and social problems were the basic cause of war, it was natural for them to stress the functional approach to peace. Inis Claude, Jr. has defined functionalism as

. . . that part of the mass of organized international activities which relates directly to economic, social, technical, and humanitarian matters--that is, to problems which may be tentatively described as non-political.<sup>1</sup>

Functionalism, thus, may be described as an indirect war-preventive agent, for it operates on the premise that the social and economic ills which generate war must not be given the opportunity to arise.

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<sup>1</sup>Claude, Swords into Plowshares, op. cit., p. 344.

A recurring theme of the functional theorist was the need for economic cooperation as a means of avoiding world depression and hostile competition among nations. Senator Francis Myers (D., Penn.) stated that World War II had shattered American isolationism in all respects except economics. He chided those senators who claimed to support the United Nations but opposed United States assistance and cooperation in the economic area. He pointed out that no senators had questioned the cost of waging war, and yet several were vociferously opposed to the cost of "waging peace" through the Bretton Woods Proposals.<sup>1</sup> Senator Ellender supported his argument by noting that World War II had cost the United States an estimated two hundred billion dollars, and yet there were senators quibbling over six billion dollars to be invested in the Bretton Woods Proposals as a means of averting future wars.<sup>2</sup>

It should be noted that although the Bretton Woods Proposals were not a formal part of the Charter, they were an integral part of the total concept of international economic cooperation. The advocates of economic cooperation realized that if they were to be successful in selling the merits of the controversial Economic and Social Council, they must enlighten those opposed about the vital benefits

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<sup>1</sup>Congressional Record, op. cit., Part 6, 7699.

<sup>2</sup>Ibid., 8179.

to be derived from participating in such enterprises as the International Food and Agricultural Organization, the Reciprocal Trade Agreements, and the Bretton Woods Proposals. As a result, these proponents discussed at length on the need for economic cooperation and the obligation of the United States to provide financial rehabilitative support for the war-ravaged nations of Europe as a way of building a democratic post-War world. Their arguments were implicitly linked with the concomitant need for United States support for, and participation in the proposed Economic and Social Council.

Those senators who spoke in favor of the Economic and Social Council indicated that it would greatly enhance the possibility of international peace and security by providing an orderly and peaceful procedure for considering important questions of a social, economic, or humanitarian nature. Senator Burton believed that by getting at the root causes of war it would become one of the prominent peace-keeping agencies of the United Nations. He felt that by acting as an advisory and coordinative body, it would gain wholehearted cooperation and be held in high esteem by all nations. He was sure that every nation would support humanitarian endeavors in such areas as human rights and health, since these were not related to a nation's size, power, or political ideology. Consequently, the Council

ought to be a forum of high potential that would operate on a truly democratic basis.<sup>1</sup>

The Senate was almost unanimous in its support of the goals and aspirations of the Economic and Social Council. Its structure and purpose were not subject to controversy, save for some reservations expressed by a small core of economic isolationists. It was, after all, difficult to oppose the positive social and economic goals espoused by the Council. Furthermore, the creation of such an agency clearly did not threaten the sovereignty of any nation. Even the few die-hard isolationists did not openly speak out against the Council, although their opposition to United States commitments regarding such agreements as Bretton Woods and the International Monetary Fund implied similar feelings about the Council. This was so since United States financial support would be necessary in both cases.

The "grand debate" as a promoter of peace. In keeping with the democratic ideals proclaimed by the Charter, the United Nations was expected to serve as a general sounding board for the nations of the world. Every nation, big or small, would have an opportunity to air its views there. Nations, or their representatives, would be required to congregate and listen to each other debate the issues of the

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<sup>1</sup>Ibid., Part 5, 5542-5543.

day. And, by doing so, an awareness would be gained as to the ambitions, interests, ideals, and frustrations of the member states. Through the new organization, hostilities and frustrations could be legitimately vented and empathy promoted.

In terms of total debate time, the Senate devoted only a small portion of its discussion to the concept of the UN as a "grand debate" about peace. There appear to have been several explanations for this. First, this principle or concept was an intrinsic element in all phases of the Charter; the fact that nations would be assembling and listening to one another necessarily implied that a certain amount of international understanding would thereby be acquired. Those provisions which provided for a General Assembly, Economic and Social Council, Trusteeship Council, and International Court of Justice obviously required the nations of the world to engage in multilateral discussion. Second, although the senators did not discuss the "grand debate" approach to peace per se, their dialogue was replete with allusions to this conception. For example, the arguments in favor of mediation and conciliation as a means of promoting peace implied the use of debate and the exchange of national views as vitally important.

Senator Elbert Thomas (D., Utah) stated that one of the greatest assets possessed by the United Nations would be its ability to get the nations of the world together in one

common meeting place. He felt that this was a basic ingredient of American democracy, and it would serve the same purpose in an international forum. He believed that

The people of the world should realize that the fundamental suggestions for international organization are based upon the theory of consultation, deliberation, and discussion; all of which add up to the simple word, talk.<sup>1</sup>

This statement well illustrates the view held by a majority of the senators that constant "talking" is a vital means of forestalling war.

Pacific settlement as a promoter of peace. In a broad sense, pacific settlement simply means the resolution of international conflict without violence. It is a mechanism for solving disputes between nations within the established legal order of the United Nations. Given the assumption that nations become embroiled in war as the result of a variety of reasons, the concept of pacific settlement holds that regardless of the reason for a given conflict, the animosity between hostile parties must and shall be resolved without resort to war. Thus, the founders of the United Nations created three distinct agencies for resolving conflicts by pacific means: the Security Council, the General Assembly, and the International Court of Justice.

The proponents of pacific settlement talked at length

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<sup>1</sup>Ibid., 79th Congress, Part 12, A3039.



about these agencies and their prospects for solving disputes between nations while such disputes were still embryonic. The senators did not much discuss pacific means of settlement in relation to the General Assembly; instead, pacific settlement was envisioned primarily as a function of the Security Council. Senator Vandenberg gave a quite thorough description of the procedure by which the Council would strive to settle a conflict between two nations. He stated that initially an attempt would be made to solve a dispute by encouraging negotiation between the opposing parties. If this failed, an inquiry would then be made into the facts alleged by the respective parties. After inquiry, the Council, with relevant facts at hand, would serve as mediator of the dispute. And finally, if at this point a settlement was still not reached, the Council would have to intervene as an active arbitrator.<sup>1</sup> Vandenberg asserted that in his opinion this formula for pacific settlement was the real key to maintaining peace. He said:

It is my profound belief that the pacific contracts and consultations which will constantly be maintained by the powers--and particularly by the great powers--plus the pacific routines which every dispute must hereafter exhaust before it is subject to any sort of sanctions, can and will resolve most, if not all, of the controversies which otherwise might lead once more to war.<sup>2</sup>

Senator Burton also believed that pacific settlement

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<sup>1</sup>Ibid., Part 5, 6983.

<sup>2</sup>Ibid., 6982.

by the Security Council would be one of the most prominent mechanisms for settling disputes. He stated that although there was no legal obligation on the part of either party to adhere to the recommendations of the Council, such recommendations would carry tremendous weight and "the parties involved will stand before the world in the light of them."<sup>1</sup>

International law as a promoter of peace. A few senators, most notably Walter George (D., Ga.), Ellender, and Morse, envisioned the evolution of international law through the International Court of Justice as the primary means of attaining international order and mutual respect among nations. While the majority of senators basically neglected discussion of this body as an agent of peace, apparently feeling that it was merely an adjunct to the pacific methods employed by the Security Council upon the optional submission of the contending parties, the legal proponents distinguished the functions of the Court from those of the Council by defining the former as a formulator and interpreter of international law in its strictest sense.

Senator Morse believed that the Court would be the most objective recourse for nations involved in a dispute because, unlike the Security Council, there was no great power dominance or veto, but instead a staff of impartial

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<sup>1</sup>Ibid., Part 6, 8011.

judges.<sup>1</sup> Senator George stated that even though international law could not be codified in the same manner as domestic law, it would evolve as a principal force in the promotion of world peace through its continual application and interpretation by the Court.<sup>2</sup>

Senator Morse emphasized that in order for the application of international law to be truly effective, it would have to be mandatory--that is, those parties engaged in a dispute must be required to submit the controversy to the Court and be legally bound by its decision. He said that as long as nations retained the option of submitting or nonsubmitting controversies to the Court, legal adjudication would be only an illusion, save in the case of petty disputes in which neither nation incurred the risk of a substantial loss.<sup>3</sup>

Senator Connally typified the position taken by most senators who supported the concept of international law as an agent of peace but who did not want to abdicate totally United States sovereignty by entrusting the Court with mandatory jurisdiction. He saw the Court's value as that of solving disputes of a legal nature, as opposed to the Security Council's responsibility for solving disputes of a political nature. He also pointed out that while the

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<sup>1</sup>Ibid., 8161.

<sup>2</sup>Ibid., 8110.

<sup>3</sup>Ibid., 8162.

Court's jurisdiction was optional, a nation could file with the Court to have a specific case adjudicated on a compulsory basis, thus compelling that nation to abide by the decision.<sup>1</sup>

Trusteeship as an approach to peace. The concept of trusteeship was designed to promote the just administration of colonies by the mother country. It was also particularly designed to provide for the administration of those dependent territories which would be confiscated from the Axis Powers after the War. The Senate devoted almost no time at all to the discussion of the trusteeship idea, apparently for several reasons. First, it was to be voluntary in nature and therefore did not threaten the sovereign right of the United States to administer its own territories. And second, the United States did not have any colonies strictly speaking and had yet to determine what territories would be retained after World War II.

Senator Connally did make a brief comment in support of trusteeship, saying that it served a beneficial purpose by providing for the welfare of the dependent peoples of the

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<sup>1</sup>Ibid., Part 5, 6876. The so-called "Connally Amendment" later adopted by the Senate, made certain that the World Court's jurisdiction over U.S. disputes would be optional rather than compulsory. Many observers feel that this optional jurisdiction has significantly impaired the usefulness of the Court.

world and by preparing them for eventual self-government. He also mentioned that the Trusteeship Council would perform a valuable function in drawing a distinction between territories within "strategic" areas and those in "non-strategic" areas.<sup>1</sup> Other senators made casual statements in support of trusteeship, but none of them added any real substance to the comments made by Connally, nor did they choose to elaborate on the methods by which this mechanism would be implemented by the United Nations.

Collective security as a promoter of peace. As a last resort, the Security Council was expected to rely on the collective force of its member states to repel a threat of aggression. If the other mechanisms for peace (i.e., pacific settlement, judicial settlement, trusteeship, debate, and functionalism) proved inadequate, it would obviously become necessary for the United Nations to confront force with force. The term "collective security," all agreed, implied a firm commitment by members of the United Nations to collectively uphold the security of the world by confronting an aggressor with a unified force.

As noted in a previous chapter, the senators disagreed sharply about the application and extent of such collective action. Most, however, felt that such a tool was

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<sup>1</sup>Ibid.

essential if the United Nations were to avoid the impotence of its predecessor, the League of Nations. As Senator Barkley put it, the League failed primarily because "it could adjudicate and render decisions but had no organized force with which to enforce its decrees."<sup>1</sup> His colleagues agreed.

Senator Fulbright lauded the potential of collective security as the principal deterrent against aggression. He pointed out that most previous wars had been the result of an aggressor underestimating the will of peaceful nations. He said that most democratic nations had waited for an overt act of aggression before reacting with force; by this time, of course, it was too late and there was no honorable alternative to war. Unfortunately, the aggressor all too often mistook neutrality or nonintervention for cowardice, and war then ensued. He felt likewise that an international armed force would act as a preventive deterrent capable of eliminating all but a few isolated minor cases of aggression.<sup>2</sup> Fulbright concluded ". . . I believe that by adopting the principle of compulsion and the principle of the preventiveness of that compulsion, this Charter is on the right road to peace."<sup>3</sup>

Senator Burton conceded that collective security

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<sup>1</sup> Ibid., Part 6, 7992.

<sup>2</sup> Ibid., Part 6, 7992.

<sup>3</sup> Ibid., Part 5, 5945.

would be an effective deterrent against war, and he particularly emphasized the imperative need for United States participation. Without it, he believed that the United Nations would have no real enforcement power and no chance of repelling aggression.

Senator Eastland suggested that an international peace force should prevent even the great powers from starting war. He stated that the great powers were aware that no one nation could defeat a combined force of all the other nations of the world. He recognized that the great powers could exercise their veto privilege to block any recommended action against them, but he pointed out that world opinion would surely reinforce the potential of collective action. A great power, he felt, would not dare to be a brazen aggressor, since the members of the United Nations would condemn all acts of aggression and demand remedial action. The aggressor would therefore stand guilty before the eyes of the world and public condemnation, along with the potential for mobilizing the resources of the member<sup>1</sup> nations, would act as a powerful deterrent.

Senator Lucas also favored the concept of collective security and tried to dispel fear on the part of some of his colleagues that a collective force might someday be used against the United States. He said that such action would

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<sup>1</sup>Ibid., Part 6, 8085.

not be possible under the Charter provisions, for the United States reserved the right to veto any recommended action against itself.<sup>1</sup>

Senator Vandenberg best represented the view of the Senate majority regarding the principle of collective security. He said he hoped that it would never have to be resorted to. He also said that he had faith in the power of functionalism and pacific settlement to forestall the use of force. Nevertheless, he felt that collective security was a vital safety valve because, if necessary, it unquestionably could maintain peace. He emphasized further that the existence of an international peace force and our contributions thereto would not detract from the United States prerogative of maintaining an invincible domestic army and navy. Therefore, there would be no infringement on American sovereignty.<sup>2</sup>

### III. THE MORAL ARGUMENT

Among the strongest arguments advanced by the proponents to justify our joining the United Nations was the moral argument. Most of the senators seemed to feel that the Senate after World War I had made a drastic mistake in rejecting the League, and that this rejection had been a key factor in the subsequent ineffectiveness of that organiza-

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<sup>1</sup>Ibid., 8031.

<sup>2</sup>Ibid., Part 5, 6982.



tion. Even the most pragmatic arguments concerning the prospective effectiveness of the United Nations were laden with many idealistic and emotional appeals concerning the ethical obligation of the United States to join. These arguments were quite in keeping with the times. The nation was weary of war and public opinion overwhelmingly supported the creation of the United Nations. As a result, it appeared to most senators that it would be political suicide to come out against the Charter. For these and other reasons, all but the most intransigent opponents of the Charter felt compelled to speak in moralistic superlatives about the goals and ideals of the Charter. Clearly they hoped in this way to find favor with their constituents.

The most frequent moral argument stressed the fact that the United States had an obligation to join the United Nations because it was a "last hope" and because there "was nothing to lose." No Senator ventured to predict that the Charter would guarantee a future wholly free from the ravages of war, but the prevailing view among the senators was that it offered a very good chance of avoiding a future world catastrophe. For example, Senator Edwin Johnson (D., Col.) stated that technological developments had reached the point where world annihilation was possible should there ever be a World War III. He therefore felt that the ever-increasing complexity and interdependence of world affairs,

along with this clear technological threat, made it absolutely imperative that the United States join the United Nations as a last effort to prevent another war.<sup>1</sup> He said: "I should rather be burned at the stake than assume any responsibility for not taking every possible precaution against the occurrence of World War III."<sup>2</sup>

Senator Ernest McFarland (D., Ariz.) added to Johnson's remarks by pointing out that the threat of World War III still existed. He said that though German militarism was on the brink of defeat, the main causes of war still existed: poverty, boundary disputes, economic rivalries, and international misunderstanding. To be sure, the Charter was not a panacea for peace, but it was an honest attempt in that direction. It provided a formula for peace that was evolved by fifty nations, and, thus the United States had a moral obligation not only to join the United Nations, but also to work avidly in its behalf.<sup>3</sup>

Senator Burnet Maybank (D., S.C.) warned that the Charter must not be rejected unless a better alternative was proposed. He said that to oppose the Charter and offer nothing better in its place was a totally negative and pessimistic approach. Experience had shown him that that the old balance-of-power system did not result in peace but

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<sup>1</sup> Ibid., Part 6, 8003.

<sup>2</sup> Ibid., 8004.

<sup>3</sup> Ibid.

in war. Furthermore, he argued that it would be sheer folly to resort to such an approach once again. All the past plans and schemes for preventing war had ended in failure, so there was no other alternative now but to accept and implement the Charter.<sup>1</sup>

It was emphasized by several senators that the United States should take the initiative in ratifying the Charter in order to lend credibility and prestige to its cause. Senator Connally for one argued that the Senate ought to ratify the Charter expeditiously so that the world would know of American convictions and follow our example. He said: "We leagued our armed might for war. Now let us league our moral and material might for peace."<sup>2</sup>

It was likewise pointed out by the Charter's proponents that the Senate had a moral obligation to ratify the Charter out of respect for the hopes and dreams of the American public and the other peoples of the world. Senator Elbert Thomas (D., Utah) meticulously traced the evolution of American sentiment for the Charter, reminding the Senate of the spiteful defeat of Woodrow Wilson's "dream" and the horrors experienced during the two world wars.<sup>3</sup> Senator Elmer Thomas (D., Okl.) added that he had not received a single letter from the people of Oklahoma that did not favor

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<sup>1</sup> Ibid., 8088.

<sup>2</sup> Ibid., Part 5, 6878.

<sup>3</sup> Ibid., Part 6, 8097.

United States membership in the United Nations.<sup>1</sup>

Thus, the Charter proponents skillfully blended their moral and practical arguments in such a fashion that it was exceedingly difficult for their adversaries to refute them. Their arguments stressed the practical reasons why the structure of the United Nations provided a rational and basically pragmatic approach to peace. The practical arguments were constantly reinforced by the emotional pleas, stressing the devastation of past wars, the defeat of Wilson's dream, the historical similarity between the Charter and the American Constitution, and, finally, the moral obligation of the Senate to fulfill the hopes and aspirations of the American people. Perhaps some of the senators displayed an exaggerated degree of emotionalism, but one should not assume today that their ardor was insincere. Though such enthusiasm was not based on a belief that the United Nations would be a panacea for all future strife, the Senate majority was clearly convinced that the organization offered at least the hope of a viable alternative to the ineffectual past efforts at preventing or containing war. That was not exactly a wildly Utopian hope.

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<sup>1</sup>Ibid., 8168.

## CHAPTER IV

### CHIEF OPPOSITION ARGUMENTS

With a few notable exceptions, the senators who spoke appeared reluctant to voice opposition to, or even reservations about the Charter. It would appear that the majority of them were intimidated by the infectious enthusiasm of their colleagues and by the strong indications of mass public support for the United Nations.

Only Senators Langer and Shipstead voted against ratification of the Charter (although Senator Johnson of California, who was absent from the Chamber due to illness, also indicated that he would have voted against it).<sup>1</sup> Today, when the final vote of eighty-nine for and two against is considered out of context, it is deceiving, for it does not reflect the true sentiments of the Senate at the time. Senators C. Wayland Brooks (R., Ill.), Harlan J. Bushfield (R., S.D.) and Burton Wheeler (D., Mont.) for example, were closely aligned with Senators Langer and Shipstead in their general views. These senators were inclined to oppose the United Nations on three general principles. First, they believed that it was a basic infringement on United States sovereignty and was therefore unconstitutional. Second, they contended that it would entangle the United States in

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<sup>1</sup>Ibid., 8190.

foreign conflicts which were irrelevant and contrary to our national interest. Such entanglement, they said, would inevitably lead to involvement in a world war. And third, they suggested that the United Nations was a diabolical scheme devised by conspiring individuals, mostly wealthy Easterners who hoped to reap the economic profits from American involvement in foreign wars at the expense of the "common man."

Another faction of senators could best be described as "semi-opponents." These individuals were extremely skeptical about the workability of the Charter and were somewhat cynical of its avowed goals. They were not true opponents, however, because although they expressed reservations about specific Charter provisions or objectives, they did not express outright opposition to the Charter. Many of these semi-opponents indicated that they would vote for the Charter because it was well-intentioned, and, in any case, there were no better alternatives available; yet they admitted to being skeptical of its viability. These senators' views were most often revealed during those portions of the debate which covered the controversial sections of the Charter. Their opinions concerning such sections often correlated with the views of the Charter opponents.

## I. UTOPIANISM OF SUPPORTERS

Several of the opponents leveled charges of "naïve utopianism" against the Charter's proponents, while others intimated the same by pointing out the unfeasibility of the Charter's various mechanisms for preserving the peace. In fact, this was the underlying theme of practically every attack launched against the Charter by the opponents: that the ideals embodied therein were noble, but that they promised an unattainable Utopian world of perpetual peace and felicity. It was charged that as a result, the United States would be lulled into a false sense of security that would pose as a serious threat to its safety.

Senator Wheeler commended Senator Lister Hill (D., Ala.) on the eloquence of an emotion-laden speech he had made in support of the Charter, but charged him with "whistling in the dark." Wheeler said that it was fantasy to talk of future tranquillity under the guidance of the United Nations when the "chaos in Europe is tragic beyond description," and the "inevitable triumph of disease, starvation, and frustration already challenges the sanity of men."<sup>1</sup> He accused America of idealistically judging all the other countries of the world by the same high principles and ideals held by its own citizens. He said that to anticipate

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<sup>1</sup> Ibid., 7973.

a new reign of international order and justice under law was inconsistent with the harsh lessons of the past. He felt that the Charter was nothing more than a dream which ignored reality. He concluded that those senators who refused to believe that brute force, and not mutual trust and cooperation among nations, would dictate the fate of the world were gravely deluding themselves as well as the American public.<sup>1</sup>

Senator Shipstead argued that the United Nations would be incapable of ensuring peace in a world still governed by power politics. He cited the creation of the Security Council as evidence of his contention that the great powers were already concerned with inflicting the spoils of war on the vanquished and the weaker nations of the world. He intimated that those senators who envisioned a world governed by a code of international law were ignoring the stark realities inherent in traditional power politics. In short, he believed that it was folly to support the United Nations as an egalitarian organization possessed with altruistic motives, since all signs pointed towards a postwar era that would be characterized by ruthless power struggles.

## II. DEFECTS OF THE UNITED NATIONS AS A PROMOTER OF PEACE

The Charter opponents devoted only a small fraction

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<sup>1</sup>Ibid., 79th Congress, 7985.



of their arguments against the United Nations to the structural defects of the organization as a promoter of peace. They were apparently content to talk about the Utopianism of the proponents without dissecting the various mechanisms for peace as delineated in the Charter. As previously discussed in Chapter II, there were many interpretative questions and reservations expressed about the Charter's provisions; however, only a few senators transcended this type of skepticism with outright opposition to the Charter's machinery for promoting peace.

The avowed opponents alleged that the gravest infirmities were contained in the Security Council's role in pacific settlement, the great power veto, and collective security. Senator Shipstead labeled the Council as a dictatorship of the Big Five that would maintain peace by force. He asked, "Do we want that kind of world government?"<sup>1</sup> Senator Langer said that those senators who compared the Charter to the United States Constitution overlooked a fundamental difference: the Constitution guaranteed the equality of the states; the Charter allowed several states to have a veto power over the rest. He said that had such an organization been in existence when America was struggling for independence, it would have been impossible for France or any other country to offer assistance. For this reason,

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<sup>1</sup> Ibid., Part 12, A2978.

he predicted that the Security Council would act to perpetuate an unjust status quo in many parts of the world.<sup>1</sup>

Senator Shipstead feared that the Security Council would be a projection of the War Alliance and would encourage bellicosity through the mass production of armaments which could be used capriciously against the smaller nations of the world to preserve the interests of the Big Five. He said that the Charter had failed to pspell out those instances in which it was permissible to use force--that no attempt had been made to clearly define "aggression" in such a manner that force could not be used arbitrarily.<sup>2</sup> He went on to say "Would it not be a grievous embarrassment for the American people to find themselves suppressing rebellion against tyranny all over the world?"<sup>3</sup> He concluded that the fallacy of collective security lay in the fact that peace must be enforced by waging war.<sup>4</sup>

Senator Styles Bridges (R., N.H.), a reluctant supporter of the United Nations, also condemned the structure of the Security Council. He believed that the threat of World War III lay in the tensions and disagreements among the Big Five in Europe and Asia. He reasoned that since the Big Five were precisely those nations favored by the Charter, it would be possible for any one of them to block

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<sup>1</sup> Ibid., Part 6, 8189.

<sup>2</sup> Ibid., 8119-8120.

<sup>3</sup> Ibid., 8121.

<sup>4</sup> Ibid.

any action against themselves through their exercise of the veto. He pointed out that within recent months the British had curbed French policy in Syria and the United States had done the same in regard to Tito's ambitions and Russian policy in the Trieste area. Had the Security Council been in existence under the veto rule, he said, these acts would have been impossible.<sup>1</sup>

Senator Bridges also argued that the Security Council was only designed to arrest acts of aggression by small nations that were incapable of fomenting war on a large scale. He said that:

The menace of large-scale conflict does not reside in quarrels of small countries by themselves. Such quarrels can be limited and isolated. . . . The preventive machinery works smoothly until the point of real danger is reached, the point where a nation strong enough to precipitate a world war is involved, and then it can go dead.<sup>2</sup>

Furthermore, he felt that the Council would be ineffective in handling small power aggression, since the small powers would align with a great power for security and assurance of immunity from United Nations action.<sup>3</sup>

Senator Taft maintained that the veto power of the Big Five changed the whole nature of the United Nations by making it a "consulting body" that was incapable of exerting any real authority against the chief threat to world

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<sup>1</sup>Ibid., 8166.

<sup>2</sup>Ibid.

<sup>3</sup>Ibid.

security, the great powers themselves. He also stated that the means of pacific settlement provided in the Charter were useless unless backed up by the potential of enforcement. He said it was his opinion that pacific settlement had failed to remove any threats of war in the past. Chamberlain, for example, had conferred at length with Hitler and thought that he was making progress. Hull did the same with the Japanese delegates.<sup>1</sup>

Except for criticisms directed at the Security Council, little was said by the opponents about the possible operational weaknesses of the United Nations. While a great deal of debate focused on the interpretation of the various provisions (discussed in Chapter II), this dialogue, when negative, was in the form of reservations by the proponents. A close examination of the debate reveals that the sparse criticism that was leveled at the structural machinery of the United Nations was usually negative only in the sense that the Charter proponents felt that the United Nations should be more forceful in some particular area. For example, Senator Pepper contended that the trusteeship concept as enumerated in the Charter did nothing to assure the subject peoples of the world of dignity and freedom, as there were no rules or timetable which would compel the

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<sup>1</sup> Ibid., 8153.

colonists to abdicate their control.<sup>1</sup> In this respect, Senator Morse criticized the International Court of Justice for not asserting mandatory jurisdiction over disputes.<sup>2</sup>

The Charter opponents chose to relate their criticisms of the United Nations chiefly to its effect on American sovereignty, with secondary emphasis on the economic disadvantages to the United States and on the fact that it was the brainchild of "sinister" propagandists. They apparently believed that if they were going to muster any substantial support for their position, they must resort to scare tactics instead of expending their efforts on discussion of the unworkability of the Charter agencies.

### III. UNCONSTITUTIONALITY OF CHARTER

The strongest objections voiced by the opponents centered around the issue of United States sovereignty vis a vis the United Nations. The contention of the hard-core opponents was that if the United States joined the United Nations, it would be a case of unconstitutionally surrendering our destiny to a world government and committing our troops and economic resources to opportunist nations, with the probable outcome being involvement in another catastrophic war. Langer and Shipstead, the two admitted opponents, were supported on these points by Senators Wheeler, Bushfield,

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<sup>1</sup>Ibid., 8072.

<sup>2</sup>Ibid., 8161-8164.

and Brooks, who expressed similar views but finally voted for the Charter because they felt it offered a remote flicker of hope.

The crux of the opposition's reasoning was that the Charter authorized the Executive Branch, either by way of the President or his delegate on the Security Council, to commit United States troops to a supra-national organization in clear violation of the Constitution. It was argued that such a commitment would inevitably lead to United States involvement in a third world war. Senator Shipstead charged that the Executive Branch's commitment of United States troops to the United Nations would result in

. . . the loss of our representative form of government here at home and the emergence of a collective Fascist state in our midst where the Government has been completely divorced from and rendered unaccountable to the people's sovereignty.<sup>1</sup>

He believed that such a commitment would set in motion the very forces which America fought through World War II to eliminate. The country would be dragged into a bloody struggle for world power--a showdown between the Eastern and Western Hemispheres that could very well end in the destruction of civilization. He argued that the nations of Europe had already moved to the left and were becoming increasingly aligned with Stalin. He feared that if the United States joined the United Nations, we, too, would become a part of

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<sup>1</sup>  
Ibid., 8122.

the trend. The only alternative, he said, was to resist despotism and remain independently strong. Finally, he argued that allowing the United States delegate to sit on the Security Council with the power to commit United States troops would be clearly contrary to our constitutional representative government.<sup>1</sup>

Senator Shipstead pointed out that the United States delegate would be endowed with totalitarian powers, and he insisted that this was a critical matter, not just a case of "constitutional hair-splitting." He complained that the Executive Branch had already unnecessarily involved the United States in the last two World Wars.<sup>2</sup>

Senator Langer agreed with Shipstead that the United States could not legally join the United Nations. He relied heavily on anti-United Nations testimony given before the Foreign Relations Committee and on articles from periodicals which opposed the United Nations. For example, he requested that the testimony of Mrs. Catherine P. Baldwin of New York City, a housewife who described herself as an "American woman, a mother, and a grandmother," be printed in the Record to support his views.<sup>3</sup> Mrs. Baldwin had testified that the Charter was opposed to our Constitution and to everything Americans were sworn to uphold. She believed

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<sup>1</sup> Ibid., 8121-1823.

<sup>2</sup> Ibid., 8122.

<sup>3</sup> Ibid., Part 12, A3654.

that the United Nations was a "direct attempt to sabotage the Constitution of the United States, to take away our sovereign rights." She further stated that the Charter advocated a "demagogic, oligarchic project" by permitting five men to sit on the Security Council and determine the ultimate destiny of the United States.<sup>1</sup> In fact, she said the Charter was nothing more than an instrument of war, and thus those senators who voted for its ratification would go down in history as betrayers of their country. In her opinion the only legitimate way for the Charter to be constitutionally adopted would be to submit it to the voters of the country as an amendment to the Federal Constitution.<sup>2</sup>

One of the commonest arguments advanced by Langer and Shipstead was the charge that the United States was ignoring the true will of the American people by rushing the Charter through the Senate. They believed that the real pulse of the nation was not recognized by the Senate. Senator Langer suggested that the majority of his colleagues were sacrificing their moral scruples to ride on a temporary wave of specious public enthusiasm that had been manipulated by clever propagandists. He noted that five years earlier he had promised the citizens of North Dakota that he would never vote to send United States troops to fight in Europe, but would spend every last dollar in our treasury to defend

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<sup>1</sup> Ibid.

<sup>2</sup> Ibid., A3655.



the Western Hemisphere. He said in this regard:

Having so pledged myself, and having been elected to my senatorship upon such a pledge, and not having been elected to create an organization to which we would give promise, either express or implied, that it would have authority to send our boys<sup>1</sup> all over the earth, I cannot support the Charter.

Langer went on to remind the Senate that eleven million of our fighting men and women were still outside of the United States, and he felt that the Senate had a moral obligation to hear their views. For him, they constituted the very "backbone of the common people of America."<sup>2</sup> He also agreed with Mrs. Baldwin's testimony in regard to the necessity of referring the question of ratification to the American people, and he mentioned that any Senate action to the contrary would surely constitute a betrayal of the principles set forth in our Constitution.<sup>3</sup>

Senators Langer, Shipstead, and Bushfield all felt that the Charter placed an unconstitutional imposition on the sovereign preeminence of regional agreements. While these senators were isolationists vis à vis the Old World, they were willing to protect the Americans from outside interference by whatever means necessary. They all genuinely feared that the Charter would undermine the validity of our basic regional commitments, particularly the Monroe Doctrine.

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<sup>1</sup>Ibid., Part 6, 8188.

<sup>2</sup>Ibid.

<sup>3</sup>Ibid.

Senator Bushfield, indeed, contended that the only effective and valid means of insuring peace lay along regional lines. He feared that a United Nations armed force purporting to act as a world police force would involve the member states in total war the first time it crossed any nation's boundary. On the other hand, he argued that regional agreements would commit only those nations that were geographically close to the conflict, thus avoiding international involvement. He mentioned also that under the Charter any proposed regional agreements must meet with the approval of the Security Council. He was worried that:

If that proposal [Security Council approval of all regional agreements] be insisted upon, the Monroe Doctrine, which has kept the Western Hemisphere free from invasion and aggression for more than a century, will be thrown out the window. America does not want the Monroe Doctrine junked.<sup>1</sup>

He was convinced that United States troop commitments should be pledged solely to uphold the principles espoused by the Monroe Doctrine. Finally, as a viable alternative to the United Nations system of collective security, he proposed that the United States endeavor to build a beefed-up regional defense organization along the lines of the Pan American Union.<sup>2</sup>

#### IV. ECONOMIC DISADVANTAGES TO THE UNITED STATES

The avowed Charter opponents were aided in their

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<sup>1</sup>Ibid., 79th Congress, Part 12, A2979.

<sup>2</sup>Ibid.

attacks on the economic disadvantages of the Charter by a group of senators who can best be described as "economic isolationists." These senators favored the principles and machinery of the Charter provided the United Nations did not try to dictate United States economic policy or require us to expend more than a fair and proportionate share of the cost for supporting the organization's work.

Senator Taft feared that if the Reciprocal Trade Agreements Act and Bretton Woods Agreements were incorporated into the United Nations, the result would be a "one-way street, in which we contribute everything and nobody else contributes anything. . . ." <sup>1</sup> He felt that economic problems could best be solved by allowing each nation to evaluate its own needs and resources and then make appropriate bilateral agreements. He stated that if the United States wished to rehabilitate Europe, this could be most effectively accomplished through an American relief organization and an Export-Import Bank. He thought little of the United Nations Relief and Rehabilitation Administration. He went so far as to describe the Bretton Woods Agreements and Reciprocal Trade Agreements as simply "economic foolishness." <sup>2</sup>

Homer Capehart (R., Ind.) was equally concerned about the draining of United States monies through the United

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<sup>1</sup>Ibid., 8155.

<sup>2</sup>Ibid., 8154-8155.

Nations. He said:

. . . I wish to ask where are we to get the money [for the United Nations] and when will we stop going into debt, and what is the virtue on our part, if I may say so, in bragging about the fact that we have gone into debt and have had an unbalanced budget for 14 years?<sup>1</sup>

Capehart said that he would not vote for any expenditures to aid the Bretton Woods Proposals or the Reciprocal Trade Agreement until this question had been sufficiently answered.<sup>2</sup>

Senator Thomas Hart (D., Conn.), a solid Charter supporter, also warned that the United States must avoid over-extending her financial and material commitments to the United Nations. He noted that the other nations of the world were presently relying on the United States for aid and security because of our altruistic nature and military strength. He feared that the United Nations would seriously deplete United States strength, and he emphasized that American resources were not inexhaustible. He also said that our national interest superceded any international interest, and it was therefore imperative that the United States maintain economic and military strength at home before extending benevolent promises to the other nations of the world.<sup>3</sup>

Senator Raymond Willis (R., Ind.) argued that federal

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<sup>1</sup> Ibid., 7570.

<sup>2</sup> Ibid.

<sup>3</sup> Ibid., 7608-7609.

funds should generally be reserved for domestic purposes. Not surprisingly, he described United States contributions to international organizations as "amazing and outlandish Federal expenditures."<sup>1</sup> He said in this regard:

If we believe in this American system, how can we continue to preserve it if our manufactured products, our machinery, our raw materials, our foodstuffs, plus billions of dollars--all needed here at home--are used to make the communistic and socialistic systems of Europe seem successful while we break the capitalistic system at home.<sup>2</sup>

Senator James Eastland (D., Miss.) shared Senator Willis' concern over our subsidizing other governments, particularly the communist ones. He said that much of the money to be advanced to rehabilitate Europe would fall under the general reach of the Charter. He had grave misgivings about the deteriorating situation in southern and eastern Europe, and he said: "Let me make crystal clear, Mr. President, that America's resources must not be spent to promote communism in Europe."<sup>3</sup>

Senator Revercomb expressed concern that the United States might commit troops and resources to the United Nations at the expense of our domestic army and navy. He warned that under no condition should the government decide to reduce the size of our armed forces, for the key to peace and security lay in the strength of the military.<sup>4</sup>

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<sup>1</sup> Ibid., 8184.

<sup>3</sup> Ibid., 8085.

<sup>2</sup> Ibid.

<sup>4</sup> Ibid., 8040.

As was to be expected, Senators Langer and Shipstead took the most pessimistic view of the United States financial obligations to the United Nations. They asserted that such expenditures would mean the eventual downfall of the nation. In this respect, Senator Shipstead said:

Mr. President, I wonder if any Member of the Senate body honestly believes that the average American citizen has even the slightest notion of the extent to which we are involved in a financial race with disaster . . . we are committing ourselves to economic and financial undertaking which would bring the whole world crashing down upon our heads.<sup>1</sup>

He added that if our production should come under world control, arbitrary standards would inevitably be imposed.

Foreign-owned corporations would flood the American media with political propaganda and deduct the cost as an advertising expense. A "collective economic state," he felt, would slowly undermine those values and virtues endemic to America.<sup>2</sup> His pessimism was deep indeed.

#### V. THE CONSPIRACY BEHIND THE UNITED NATIONS

Senators Langer, Shipstead, and, to an extent, Bushfield and Wheeler alleged that the support which had been rallied behind the United Nations was largely the result of a plot by subversive elements within the United States and abroad. They maintained that the Senate and American public had really been deluded into supporting the Organization by

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<sup>1</sup>Ibid., 8119.

<sup>2</sup>Ibid., 8120.

clever propaganda from these sources. They predicted that the United States might well fall victim to a sinister conspiracy one day if we supported this scheme.

The foreign conspiracy. Although Senators Langer and Wheeler did not explicitly state that the Charter was the brainchild of foreign conspirators, their dialogue implied a strong suspicion to this effect. In fact, they subscribed to the view that all European nations were ruled by totalitarian tyrants who wished to bring the United States under the wing of their treachery. And they felt such efforts would continue.

Senator Wheeler regretted that United States morale had already been affected by the influence of foreign propagandists. He stated that the nations of Europe would like nothing better than to see the United States embroiled in their perpetual power struggles. He deplored the fact that

. . . the America in which I live is no longer afraid of totalitarian tyranny. It openly embraces what President Roosevelt declared to be a dictatorship as absolute as any in the world [i.e., the warring condition of Europe]. We gaze fondly upon it and proudly arrogate to ourselves the right to join such select company.

Mr. President, all I have to say to the American people is that if, as our contemporary wolf pack of propagandists is attempting to prove by its yapping, the simple statement of historical facts and American principles and ideas is divisive, destructive, or subversive to American interests, then America as

a nation of free peoples is already blindly groping toward her doom.<sup>1</sup>

He went on to assert that past American assistance to Europe, particularly to Britain, had been the primary cause of American involvement in World Wars I and II. It was his view that the repeal of the Neutrality Act, the cash-and-carry provisions, the destroyer-bases deal, the Selective Service Act, the convoys-to-Britain, and lend-lease had all led to United States involvement in these wars. He also intimated that European endorsement of the United Nations was based on the same motive as their acceptance of past United States aid: the involvement of the United States in their struggles for the purpose of securing military and economic assistance.<sup>2</sup> Wheeler called the temporary unity of the United States, Great Britain, and Russia an "international shotgun wedding" and warned of the vicious hypocrisy and chicanery behind this guise of unity.<sup>3</sup> He quoted an information bulletin of the Soviet Embassy printed in late 1944 which pretended to honor the sovereign rights of the nations of Europe, and he then listed a series of aggressive acts which had been committed on the smaller nations of eastern and southern Europe as evidence of Soviet duplicity.<sup>4</sup>

Wheeler said that most Americans made the mistake of

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<sup>1</sup> Ibid., 7973.

<sup>3</sup> Ibid., 7978.

<sup>2</sup> Ibid.

<sup>4</sup> Ibid., 7977.



judging all other countries of the world by the same high ideals and principles which all Americans hold to be true. He stressed that most of the peoples of Europe and Asia did not even know what democracy means. It was therefore easy for the public to overlook the potential pitfalls of the United Nations.<sup>1</sup> Moreover, he said that it was natural for Russia to endorse the United Nations and United States membership therein since this would lend legitimacy to their aggressions. He abhorred their behavior in East Europe and said that after the Senate had ratified the Charter, it would be saying to Russia, in effect, "You can do practically anything you want to with those countries over there."<sup>2</sup> He wanted to be no part of that.

Senator Langer agreed with Wheeler that the Charter would promote the selfish and aggressive tendencies of the great powers at the expense of liberty. He believed that the oppressed people of the world, from Poland to India, would be sentenced to permanent enslavement because the Charter would uphold the interests of the imperial countries.<sup>3</sup> This he could not condone.

Senator Shipstead asked if it was not possible that the United Nations was a scheme on the part of the Big Three (Russia, Britain, and the United States) to perpetuate the

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<sup>1</sup> Ibid., 7987.

<sup>2</sup> Ibid., 7992.

<sup>3</sup> Ibid., 8189.

injustices of the Versailles Treaty by "mobilizing the armed might of the world . . . only to grind into finer dust the reeking ruins of prostrate peoples." He went on to suggest that the Charter was no more than a facade to project into peacetime the wartime alliance of the Allied Powers.<sup>1</sup>

The domestic plot. The opponents found the domestic "plot" more easily identifiable and definable than the alleged foreign conspiracy. Thus, they pointed their fingers at a specific class of individuals as the culprits behind the wave of pro-UN propaganda that was sweeping the nation, and described the sinister motives which presumably prompted such individuals to support the Charter. Their "conspiracy theory of history" was quite involved.

Senator Langer accused the big financiers of conspiring to embroil the United States in another war through the United Nations under the pretense of protecting the peace. He alleged that the affairs of the country were in fact being run by about sixty wealthy families who controlled the true causes of war--the cartels and monopolies.<sup>2</sup> He identified some of these "warmongers" in a speech he delivered to the Senate on June 20:

. . . President Truman still has the same Department of State as had President Roosevelt. Stettinius, of the House of Morgan, former chairman of United States

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<sup>1</sup>Ibid., 8118.

<sup>2</sup>Ibid., Part 11, A2635.

Steel, financial czar extraordinary, still rules. On his right hand we have Nelson Rockefeller, who is universally hated by the common people all over Mexico and South America. On his left hand we have Clayton, the greatest cotton gambler in the world, whose interests are not in the United States only but who has branch offices in Mexico, Peru, Argentina, Paraguay, Brazil, and Egypt at the present time, and who testified that the capital surplus and undivided profits of his company were a little over \$50,000,000, and that he was doing business in Russia at the very time when our Government did not recognize Russia and that he did business with Germany and Japan before the War.

Then the President also has Secretary of War Stimson, who did everything he could to get us into this war while still a member of one of the largest corporation firms in New York City; and then we have Forrestall, a New Yorker, head of the Navy.<sup>1</sup>

Furthermore he contended that the interests of these were alien to those of the common man, that they did not understand the problems or concerns of the masses and had "never milked a cow," or "worked a single day with their hands as day laborers."<sup>2</sup> He concluded that men such as these were not only unsympathetic to the dreams of the common man, but even manipulated the masses for profit. The common people of the United States, he said, were expected to shed the blood of war so that men such as these could reap the pecuniary rewards.<sup>3</sup>

Senator Wheeler agreed with Langer, saying:

. . . America is being used to build up a new world struggle between two great imperialistic nations

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<sup>1</sup> Ibid., Part 5, 6332.

<sup>2</sup> Ibid.

<sup>3</sup> Ibid.

the United States and Russia , a struggle for world trade, world markets, world resources, world power, and world dominion, in which again we shall be called upon to pour out what is left of our once vast storehouses of treasure, raw materials, and of blood.<sup>1</sup>

But, unlike Langer, Wheeler failed to identify those individuals for whom America was "being used" to create a world power struggle with Russia. However, his past references to "prominent wealthy Easterners" implied a belief that they were the ones behind such a nefarious scheme.

The opponents did not attempt to bring forth empirical evidence of the manner in which the propagandists had rallied support for the United Nations; their intuition apparently was the basis of their suspicions. Although Langer did attempt to identify particular individuals who were allegedly behind the propaganda, Wheeler, Bushfield, and Shipstead preferred to limit their accusations to the wealthy Eastern class as a whole. There was no mention made by the opponents of the historical exigencies which might have influenced the American public in adopting a favorable view of the United Nations. Clearly they preferred visceral passions over reason, and they felt that if they could implicate the wealthy elite of America as the conspirators of pro-UN propaganda, they might be successful in arousing suspicion and doubt among their colleagues and the general public. But, as the final vote indicated, their attempts to

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<sup>1</sup> Ibid., Part 6, 7986.

plant skepticism in the public mind failed.

## VI. THE POOR HISTORICAL RECORD OF INTERNATIONAL EXPERIMENTS

A few opponents sought to corroborate their prophecies of doom for the Charter by pointing to past failures at similar attempts to build peace through collective security arrangements. They argued that history showed that all such ventures had been short-lived and had failed utterly to remove the causes of war.

Senator Shipstead noted that numerous past arrangements had been made to do away with war, but that such arrangements had always been ineffective because they were attempts by the strong nations, usually victors of a recent war, to impose their will on defeated nations. He said that the United Nations peace arrangements were "still in the womb of secret conclaves of power politics of the three great powers."<sup>1</sup> He also suggested that the failure of the League of Nations had been "propagandized" as the fault of the United States for refusing to enter, while in reality it should be attributed to the unscrupulous terms of the Versailles Treaty and to the League's inability to rectify those terms. In addition, he believed that the selfish schemes of victorious powers had negated the possibility of

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<sup>1</sup>Ibid., 79th Congress, 8116.

creating honorable and just international organizations in the past, and he predicted that the same would be true of any future attempts such as the United Nations.<sup>1</sup>

Senator Taft for his part agreed with Shipstead that past collective security experiments presented a gloomy prospect for the United Nations. He stated that "Time and time international arrangements have been made to assure peace and have failed in their purpose."<sup>2</sup> He insisted further that an international organization was not the true key to peace. The maintenance of peace, he felt was ultimately dependent upon the wisdom of the leaders of the world.<sup>3</sup>

A close examination of the debate reveals that there were really only a few references to past failures of international peace-keeping organizations. There appear to have been several reasons for this. In the first place, the League was the first true attempt to organize nations on a worldwide basis for political reasons. Therefore, the opponents could not point to any other failure of a comparable nature. Of course, there had been numerous alliances and attempts at regional cooperation which had gone amiss, but the League was the only genuine international precursor of the United Nations. Furthermore, the opponents were fully

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<sup>1</sup>Ibid.

<sup>2</sup>Ibid., 8152.

<sup>3</sup>Ibid.

aware that the League had become pedestalized as a hallowed martyr symbol and that it was not politically expedient to point now to its failure. It was held by a majority of the Senate and by the general public that the League had been a noble effort that had failed largely because of our non-membership. Thus, the opponents realized that they could not build a forceful counter-argument by evoking feelings of guilt about a worthy dream unrealized.

#### VII. PROBABLE ADVERSE FUTURE DEVELOPMENTS

The last argument used by the opponents related to the probable future course of world events. It was confidently predicted by the opponents that the postwar era would be a cycle of crises that would render the United Nations useless and ultimately lead to its destruction. From this gloomy prediction they never wandered.

Senator Wiley, who saw the Charter as a "last hope," was nevertheless skeptical of its viability. He showed a great deal of prophetic ability, in fact, in listing those events which he felt would pose major obstacles to the success of the United Nations. First, he said that the Balkan situation, with Marshal Tito as the spearhead of the Pan-Slav movement, would threaten the security of southern Europe. Second, he forecast that Russia's demands on Turkey for control of the Dardenelles would result in that area's becoming a trouble spot. Third, he foresaw ominous border

disputes between Russia and China over Mongolia and Manchuria. Fourth, he feared that the partition of Germany after the War would present an explosive situation. And fifth, he feared that the freeing of Korea and other Japanese colonies would cause trouble at some later date.<sup>1</sup> Wiley pointed out that the Charter was "merely a collection of 10,000 words." He said also that it was no more than a "scrap of paper," and that it possessed no more actual value than the signatory nations attached to it. He feared that, as happened with the League Covenant, world crises would cause nations to disregard the principles of the Charter and eventually an internecine war would ensue.<sup>2</sup>

Senator Shipstead was certain that a confrontation with the Soviet Union was inevitable. He predicted that the United Nations would serve as an appeaser of the U.S.S.R. and encourage her to behave aggressively. He also stated:

We cannot win security or peace or liberty for ourselves and others by casting peoples and principles either down the rat hole of appeasement [i.e., the United Nations]. . . . If standing for principles means war, we had better face it now. . . .<sup>3</sup>

Shipstead felt that a "get tough" policy was the only effective means of resisting Soviet attempts to impose dominion over the vanquished states of Europe. He even believed that England, which was becoming increasingly socialistic, would

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<sup>1</sup> Ibid., 7965.

<sup>2</sup> Ibid.

<sup>3</sup> Ibid., 8122.



eventually line up with the Soviet Union against the United States.<sup>1</sup> And he insisted that these probable developments made the concept of a United Nations nothing more than an ethereal dream that defied the realities of power politics.

Senator Bridges, a Charter proponent, was also alarmed by the state of the world, and especially by conditions in Europe. He was sure that it presented the United Nations with an almost insurmountable obstacle. Likewise, he bemoaned the fact that the United States was no longer exerting "righteous might."<sup>2</sup>

Although the term "Cold War" was yet to be coined, a study of the opponents' arguments reveals a strong suspicion on their part that disunity among the great powers was an inevitable trend that would seriously hinder the effectiveness of the fledgling United Nations. Germany and Japan were on the brink of defeat, and there was little fear of a new fascist threat among the senators. Instead, emphasis was placed on potential Soviet aggression. Many Charter proponents agreed with the opponents on this matter, and thus revealed an ideological ambivalence regarding the United Nations. Senator Eastland best illustrated this ambivalence when he said that he would avidly support the United Nations provided the President did not "permit Communism to sweep over Europe." He believed that the Commun-

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<sup>1</sup>Ibid., 3123.

<sup>2</sup>Ibid., 3166.

ists were spreading the very things that the United States had just fought a war to exterminate.<sup>1</sup> The fact that senators such as Eastland foresaw the intensification of a "Free World-Communist World" split and advocated a firm United States policy to frustrate the new enemy's alleged designs was hardly consistent with their optimism concerning the United Nations as a road to peace and harmony. As Senator Wheeler had said, perhaps the proponents really were "whistling in the dark."<sup>2</sup>

The somber picture of probable future developments that was painted by the Charter's opponents was a constructive part of the debate. This was so, for it influenced the proponents to relate their idealism to the realities of the postwar era and to reflect on the manner in which the United States would handle critical world problems once the United Nations was set up. The opponent's skepticism helped also to temper the tendency of many senators to oversell the United Nations as a promoter of peace, and to become Utopian about its prospects. But, of course, this in no way negates the judgment of history that most of the opponents' arguments were overdrawn and at least a few of them verged on paranoia. The "conspiracy argument" would be the best example of the latter.

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<sup>1</sup>Ibid., 8085.

<sup>2</sup>Ibid., 7973.

## CHAPTER V

### CONCLUSION

The ultimate significance of the Senate debate, as suggested earlier, must be measured in terms of its symbolic importance and its degree of realism in predicting the future course of the United Nations. In other words, how well have the pro and con arguments stood up over the past quarter of a century? Did the proponents oversell the UN as a peace-keeping agency or were their arguments valid in the light of subsequent history? Did the opponents perceive the genuine problems such a body as the United Nations would face when actually established, or were they tilting at windmills--making predictions that never remotely came true? And, finally, to what extent, if any, did the echoes of that debate help to contribute indirectly to the current widespread skepticism about the viability and relevance of the United Nations?

#### I. FINAL CONGRESSIONAL ACTION

It has been said that the question of ratification was one of the most profound and complex issues ever to come before the United States Senate. But despite the Charter's complexity, it was ratified by a vote of eighty-nine to two after only six days of debate. During the debate the floor

was often deserted and quorum calls were frequently invoked. In fact, at one time only ten senators were on hand.<sup>1</sup> Why, it may be asked, did the Senate break the League precedent and handle a question of such importance with such dispatch and near unanimous accord? This question can only be adequately answered when the debate is examined within the context of the mid-forties, and when seen as a part of the general post-World War II settlement.

An interesting popular account of the six-day proceedings was given by Time Magazine shortly after the final vote had been taken. The article, entitled "History in Anti-Climax," stated that throngs of people, many in uniform, pushed into the Senate galleries hoping to hear a historic debate. There was none, however, because, as the article put it, "the issue had already been settled." The article went on to state that the only significant anger or bitterness was shown by Senator Wheeler during his querulous three-hour speech against the basic premises of the Charter. According to Time, the only real point of controversy concerned Article 43 and whether the Senate or both houses should authorize United States troop commitments to the new organization. This issue was eventually settled by President Truman when he cabled from Potsdam that the matter of troop

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<sup>1</sup>"Charter's Victory Clouded Only by Hints of Rear-guard Attacks," Newsweek, XXVI (August 6, 1945), 32.

commitments would be submitted to the Congress as a whole  
for its consideration.<sup>1</sup> The mood of the Senate as the final  
vote was taken was described as follows:

When the vote came, it was an anti-climax. Only North Dakota's lone-wolf William Langer and Minnesota's tall, grey Henrik Shipstead voted against it. The ayes: 35 Republicans, 53 Democrats and one Progressive. For a historic step there was no cheering, no demonstration. The gallery crowd went away quietly.<sup>2</sup>

The evident lack of enthusiasm or of real controversy surprised many observers. Newsweek Magazine, taking note of this, pointed out that the phenomenal harmony evidenced on the Senate floor ought not to be misconstrued: There was strong evidence that some of the silent, reluctant supporters were already gathering forces to emasculate the Charter when implementing legislation came up before the Senate in the near future. Senator Wheeler, in fact, promised future trouble by declaring that Charter approval was "only a blind for the real fight ahead."<sup>3</sup>

When all the circumstances surrounding the Senate debate are fully considered, the near-unanimous vote in support of the Charter is not too surprising. The Charter had received prestigious publicity as the only remaining hope

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<sup>1</sup>"History in Anti-Climax," Time, XLVI (August 6, 1945), 23.

<sup>2</sup>Ibid.

<sup>3</sup>"Charter's Victory Clouded Only by Hints of Rear-guard Attacks," loc. cit.

for world peace, and, indeed, had become the symbol of a glorious tomorrow throughout America. The Senate was thus sharply attuned to the public consensus regarding the Charter's merits. Senator Connally was quick to remind the senators during the early stages of the debate that a Gallup Poll conducted on July 22 found the public in favor of ratification by a ratio of twenty to one.<sup>1</sup> Also, it should be noted that the concept of a new international peace-keeping agency had been introduced to the public gradually and discreetly by President Roosevelt over a period of years. Moreover, every effort was made to keep all pre-debate proceedings open, with a public hearing being held to give members of the public an opportunity to air their views. Equally significant, Presidents Roosevelt and Truman stressed the necessity of making all preliminary steps bipartisan in nature, thus divorcing the question from partisan politics.

Those critics who anticipated a drama similar to that which had surrounded the League debate overlooked all of these factors. Every precaution had been taken in advance to avoid the pitfalls which had defeated the League. As is well known, the League had no real international precedent, its pre-debate proceedings were shrouded in secrecy, and

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<sup>1</sup>U.S., Congressional Record, 79th Cong., 1st Sess. (1945), IXC, Part 6, 7951.

President Wilson had beforehand alienated the Republican Party. Not least important, the League opponents could proudly boast of their isolationist principles without fear of reprisal at the polls.<sup>1</sup> Such was clearly not the case in 1945.

## II. EVALUATION OF THE DEBATE AND VOTE IN THE LIGHT OF HISTORY

A superficial examination of the debate, with primary emphasis on the almost unanimous endorsement of the Charter, might suggest that the Senate oversold the Charter. However, a careful analysis of the Senate debate within the context of the times reveals a substantial degree of realism and foresight intermingled within the idealistic rhetoric. It, therefore, becomes necessary and meaningful to consider some of the predictions and reservations of the senators in the light of recent history.

It must be stressed that very few senators made unequivocal statements to the effect that the Charter was absolutely destined to succeed. While the debate contained a copious amount of emotional and idealistic predictions, almost all such utterances were qualified with the word "hope." In other words, the senators did not portray the

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<sup>1</sup>"Charter's Victory Clouded Only by Hints of Rear-guard Attacks," loc. cit.

Charter as a panacea for all the world's ills, but instead presented it as an opportunity--an instrument which, if used and respected by the countries of the world, would help to remove or modify some of the previous causes of war. The Charter was "oversold" by the Senate only to the extent that the Senate put abnormally high expectations on it. The often made charge that the Senate oversold the Charter to the general public is no more valid than the counterargument that the public oversold the Charter to the Senate, for a Gallup Poll conducted shortly before the debate showed that between 80 and 90 per cent of the public definitely favored the Charter. Only 30 per cent, however, believed that it would actually prevent war.<sup>1</sup> Both the Senate and the public were thus pitting hope against historical reality, and beneath their hope lay residual doubts and suspicion. The Senate was in a real sense a mirror of the voting public and, as was to have been expected, the majority of senators were inhibited about expressing too bluntly their doubts and apprehensions concerning the Charter. They doubtless feared reprisal at the polls. Consequently, the term "debate" was largely a misnomer, for the majority of business on the floor was little more than a succession of emotionally prepared speeches. Yet, beneath the surface of the set speeches, there did exist evidence of understanding, percep-

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<sup>1</sup> Congressional Record, op. cit., 8183.



tion, and a certain prescience.

Considering some key questions is one way of relating the senatorial debate to the evolution of the United Nations as a peace-keeping agency. What role, for example, has the United Nations played in preserving the peace? What problems have arisen that were seen or unforeseen by the senators? And what methods has the United Nations employed to meet these problems?

Norman Padelford and George Lincoln have stated that the United Nations was overwhelmingly endorsed by the Senate primarily because it was hoped by most of the senators that the great powers would continue to cooperate as they had done during the War. This was clearly the chief basis for their optimism. In talking about the senators' view of the United Nations as a peace-keeping agency, these authors wrote:

The functions of the new organization and the responsibilities accepted by its members represented the practical limits of formalized collaboration at the time.<sup>1</sup>

As has been shown, the bulk of the debate centered upon the Security Council and its function in keeping the peace

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<sup>1</sup> Norman Padelford and George Lincoln, The Dynamics of International Politics (New York: Macmillan Company, 1967), p. 478; see also Clark M. Eichelberger, UN: The First Fifteen Years (New York: Harper and Brothers, 1960); Arthur Cox, Prospects for Peacekeeping (Washington, D. C.: The Brookings Institution, 1967).

through collective security and the great power veto. And, as a broad generalization, it may be said that the Senate finally concluded that the Council would be entrusted with handling serious questions of peace and security and would have access to collective force against an aggressor, but only as a last resort.

Most of the senators, as indicated earlier, felt that the veto privilege would serve as a "safety valve" in preventing collective action against a great power. For the Senate certainly did not intend for the collective peace force to infringe upon the sovereign power of the United States. Hence, it was emphasized that only a limited commitment of troops and resources would be made available to the United Nations with, of course, the approval of Congress.

The majority of senators clearly believed that the concept of a collective peace force under the auspices of the Security Council had a good chance of success for several reasons. First, and foremost, it was assumed that no action would be taken unless a unanimous consensus was reached among the five great powers. And second, it was reasoned that the threat of collective action by most of the nations of the world would exert tremendous moral as well as military pressure on any would-be aggressor, thereby serving as an effective deterrent.

Most senators were quick to qualify their optimism about the role of collective security arrangements in world

peace by stating ultimate effectiveness was contingent on several key factors. First, it was imperative that the great powers possess a sincere interest in preserving the peace through consensual cooperation. In other words, a prerequisite was that the world must not become divided into factional power camps, with each camp seeking to expand its power and influence at the expense of peace and security, and the veto should not be used to shield aggression. Numerous senators perceived that a rift was already developing between Russia and the United States, and they expressed apprehension and skepticism about the workings of the Security Council if such a situation should further develop. While the proponents underplayed this possibility, they were nevertheless aware of it. And the opponents based their prophecies of doom largely on the simple fact that Soviet "duplicity" would inevitably make the Security Council useless. Opponents likewise argued that the existing great power unity was merely a temporary thing which would be shattered after the War was over.

An examination of postwar efforts at collective action would appear to justify the 1945 skeptics and Charter opponents. Today, the concept of collective military action is all but dead. This does not mean, however, that the proponents favoring that were totally naïve or Utopian in their arguments. It instead means that, while the concept was in

theory sound, it failed in practice because of unforeseen developments such as the Cold War.

The theory's major premise was that the great powers in the postwar would remain united in their common concern for peace and would sacrifice a certain amount of selfish interest towards the goal of world peace. But, of course, the development of the Cold War, with the United States and Russia assuming the status of polarized superpowers, effectively killed this vision of collective security. These two superpowers increasingly measured all threats to security in terms of a narrow self-interest, and tended to assume a paranoid stance toward each other. Very soon after the War, the United States gained the support of most of the West and relegated Russia to the position of "lone wolf" on the Security Council. This polarization was perhaps not unjustified at the time, when one considers the apparent expansionist policies of Stalin's Soviet Union, but it nevertheless caused the demise of the concept of collective security.

Inis Claude has shown that the concept of "total" collective security was destroyed by the Cold War for several reasons. First, the concept was based upon the assumption that the world would be basically united in its indictment of an aggressor. It was assumed that a case of aggression would be black and white, and hence the culpability would be

clearly traceable to a single blatant source.<sup>1</sup> Postwar conflicts have shown (e.g., Middle East in 1956 and the Arab-Israeli conflict today) that this is often not the case and that a consensus cannot be reached as to exactly who the aggressor is. Furthermore, as some senators in 1945 predicted, even when an aggressor nation is obvious and identifiable, there has been no means of unifying the rest of the world against such a state because the world has been so sharply split into opposing factions and no nation has given its first allegiance to the United Nations. The problem is further complicated by the fact that since World War II the alleged aggressor in world politics has been the Soviet Union, and thus great power unity on the Security Council has been circumvented by the veto (e.g., Hungary in 1956, Czechoslovakia in 1968, or, as some might argue, South Vietnam and the United States since 1964).

Claude's second assumption about massive collective security is that there should be enough diffusion of power to enable collective action to be effectively taken against any single nation in the world.<sup>2</sup> But, as has been indi-

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<sup>1</sup> Inis L. Claude, Jr., Swords into Plowshares (New York: Random House, 1967), pp. 228-229; see also John G. Stoessinger, The United Nations and the Superpowers (New York: Random House, 1965); Ruth B. Russell, The United Nations and United States Security Policy (Washington, D. C.: The Brookings Institution, 1968).

<sup>2</sup> Claude, op. cit., p. 234.

cated, the emergence after the War of the United States and the Soviet Union as the two rival superpowers in possession of the preponderance of world military power immediately nullified that condition. It remains to this day largely an unfulfilled condition.

Claude's third basic requirement for effective collective security is that the United Nations be ready to back up the threat of force with action if necessary.<sup>1</sup> However, with so much power concentrated in the United States and the U.S.S.R., and with these two nations possessing the veto, it soon became apparent that collective military action simply could not be launched against either of these giants. Therefore, as the Cold War evolved, it became evident to the nations of the world that the United Nations did not in fact possess a true "collective force" capable of defeating a determined aggressor. Furthermore, with the world ever more split into two "camps," it was obvious that either the United States or Russia would probably apply the veto in support of an aggressor it favored.

In the debate, most senators stopped short of advocating that collective security should enlist a massive international force capable of defeating a given nation. They merely envisioned a limited force that would put out "brush fires" before they could become major conflicts.

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<sup>1</sup>Ibid., p. 231.

They also assumed that such "brush fires" would involve only small nations, and they argued that collective security tools could deal only with such minor conflicts. Therefore, as a "backup" to collective security, they emphasized the importance of building a massive domestic army and navy to ensure peace, and they strongly favored the regional intervention by American and Latin American forces rather than by an international force.

With one exception, postwar developments seem to have upheld the reasoning of those senators who only advocated "limited" collective security that would apply to conflicts between smaller nations. The exception was the Korean War. In this instance, of course, the term "collective security" is something of a misnomer, for the war was basically a United States-financed and United States-directed campaign. In fact, the war would not have had United Nations endorsement if the Soviet Union had been present and voting at the Security Council meeting when the commitment of UN forces was made. But at least the War did bear the United Nations imprimatur.

The Korean War showed that it was neither practicable nor prudent for the United Nations to enter a serious conflict involving a superpower, and in this context Secretary-General Dag Hammarskjold originated the term "preventive diplomacy." His approach sought to exclude the major powers, especially the two superpowers, from involvement in

any conflict resolution and hoped instead to utilize the services of the smaller uncommitted nations. Hammarskjold realized that many of the existing world tensions were the result of a "power vacuum," and he believed that if he could keep the big antagonists separated from each other he might succeed in discouraging a potentially explosive situation. He sought also to localize conflicts and, if necessary, fill the power vacuum with a force of troops from small neutral states.<sup>1</sup>

It would seem that Hammarskjold's preventive diplomacy approach, which was in reality a modified form of collective security (an "impartial police force"), was quite compatible with the 1945 Senate's conception of collective security. It should be pointed out, however, that no senator during the entire debate advocated an international police force wholly devoid of great power troops. In other words, while senators saw the necessity of limiting collective action to "policing" activities involving mainly the smaller nations, none had the foresight to argue against United States (or any other great power) troop obligations as a way of separating local conflicts from great power interests.

Preventive diplomacy was employed several times by Hammarskjold, beginning with the Middle East in 1956 and ending with the Congo Crisis in 1960. The Congo situation

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<sup>1</sup>Ibid., pp. 285-295.



eventually more or less directly involved both the United States and Russia, and it ended in such a polarized atmosphere that collective security through the United Nations appears to be fairly moribund today. Such a development was not foreseen in 1945.

As was shown earlier, another strong point advanced by the Senate was the creative role of the Security Council and the International Court of Justice in promoting peace by pacific settlement of disputes. In this respect, the proponents' predictions were valid to an extent. Post-1945 history has demonstrated that when a genuine dispute has arisen, as opposed to intentional hostile aggression by one party, the Security Council has been relatively successful in "clearing the air." To be sure, many of the senators supporting the Charter predicted that pacific settlement would operate much more smoothly and methodically than has so far been the case. The conciliation-mediation-arbitration formula which was seen as a logical, orderly solution to solving a dispute has never been invoked in a strict step-by-step fashion with a "decision" being handed down to the complete satisfaction of both parties. There are doubtless several reasons for this. A major reason certainly is that pacific settlement is based on the vagaries of volunteerism instead of compulsion. The Council has found that it is simply impossible to compel unwilling parties to

appear before it and accept its decision. Furthermore, experience has shown that only the party which feels that it is at a disadvantage in a dispute is most likely to seek recourse through the Council. Finally, the United Nations has generally been unable to back up pacific settlement with firm collective action. Still, despite all these problems, the Council has been effective at least in bringing pressure on the disputants to end hostilities and reach some kind of accord or compromise. In a broad sense, therefore, the Senate's contention in 1945 that persuasion and conciliation would be the primary tools used by the Council to maintain peace has so far been validated by events.

Yet another point promoted by the proponents was the prospective role of the United Nations in aiding peace by providing for the general social, economic, and humanitarian betterment of the world. It was argued that the sociological ills of the world were really the root causes of war, and they therefore had to be exterminated. The economic and social approach to peace, otherwise known as the "functional" approach, has definitely been a major force in preserving the life of the United Nations. This approach is largely divorced from political ideologies and seeks to deal with problems of universal concern. Thus, the United Nations has succeeded in obtaining cooperation and consensus in this area, and the member states have gained significant understanding of one another while being engaged in joint

functional endeavors.

Certainly one of the prime moving forces behind the United Nations today is the General Assembly. Since the U.S. Senate largely neglected to discuss the role of this body in the future work of the United Nations, it is impossible to assess the 1945 senators' perception in this respect. Some senators did make casual reference to the General Assembly, usually describing it in some such idealistic terms as the "town meeting of the world." One thing seems obvious: No Senator foresaw the massive influx of new nations, mostly former colonies, which would completely change the complexion of the Assembly from that of a "Western" body to that of a truly international one. The majority of senators appeared to envision the General Assembly as a basically placid and harmonious body consisting of Western European nations and then Latin American allies. Yet, despite the fact that the General Assembly has more than doubled its size since the inception of the United Nations and has drifted away from its previous pro-United States orientation, it has largely fulfilled the basic objectives foreseen by the Senate. It has, in fact, served as an international "market place" of ideas and, through free debate, has enabled the nations of the world to express their views on any conceivable subject.

Quite a few events have taken place since 1945 which,

of course, could not have been anticipated by the Senate. Several times during the 1960's, for example, the existence of the United Nations was seriously threatened. Thus, in the early sixties there was the Russian proposal for a "troika" to replace the Security Council. Then there was the Congo Crisis and the ensuing Russian threats of defection. Disenchantment in the United States has grown with the inability of the United Nations to "solve" such international conflicts as the Pakistani-Indian dispute, the Arab-Israeli dispute, and even Vietnam. Many Americans have also expressed disfavor with the growing coalition of Afro-Asian nations and their frequent vilification of United States policy. Other serious problems have included the dispute over payment of arrears, the question of membership for Red China, and the proposal to give less than full status to the mini-states.

The realities of power politics have, thus, prevented the United Nations from realizing many of the goals and aspirations hoped for by its proponents, but, it is still very much alive and there has yet to be a World War III. It is exceedingly difficult to secure an objective appraisal of the success of the United Nations in preventing war, for while it is easy to list those wars which have occurred since World War II, it is impossible to list those which may have been prevented by United Nations action. Hence, it is

difficult to refute those skeptics who contend that the United Nations has served no useful purpose and is really dominated by Anti-American elements bent on our destruction.

In retrospect, it appears that the Senate did, indeed, oversell the Charter to a degree. The overwhelming vote of endorsement, the brief six-day debate, and the profusion of optimistic forecasts projected an image of overriding confidence on the part of the Senate that the United Nations would truly serve as a major instrument of world peace. Today, it is alleged by some that unreasonable expectations were aroused by the Charter debate which have resulted in much of the disillusionment and criticism that now exist. As Senator Fulbright said at the time of the debate: "I have the feeling, Mr. President, that perhaps the Charter has been oversold, both to the public and to the Senate."<sup>1</sup> Senator Alexander Smith (R., N.J.) agreed with Fulbright and warned that

The principal danger in looking at the results attained at San Francisco is in the assumption that some final, grandiose, overall plan for preserving the peace of the world must come out of this conference.<sup>2</sup>

Senator Francis Myers (D., Penn.) was also dismayed by the lack of in-depth debate over the Charter. He argued that

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<sup>1</sup>U.S., Congressional Record, 79th Cong., 1st Sess. (1945), IXC, Part 6, 7962.

<sup>2</sup>Ibid., Part 12, A3039.

"Half-hearted support for this Charter from sources with unspoken reservations is more a menace to its success than their outright opposition."<sup>1</sup>

It is doubtful, however, that the enthusiastic blessings bestowed upon the Charter by the Senate can be more than remotely linked to the disillusionment now in vogue. As has been emphasized throughout this study, the Senate's quick handling of the question and the final vote were accurate reflections of the public sentiment at the time. Had the senators deliberated longer on the Charter and passed it by a narrow margin, it might be argued that the public expectations about the future would have been modified accordingly. It is the author's opinion, however, that those who are presently inclined to attack the Charter would do so in any case, regardless of the kind of picture painted by the Senate over twenty-five years ago. Inis Claude has said that many of the disenchanted Charter critics choose to remain that way because they refuse to place the United Nations in a realistic perspective. These critics, according to Claude, are idealistic supporters of the United Nations, but believe that it is merely a step towards world peace through the transcending of the nation-state system in the direction of a system of international law and brother-

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<sup>1</sup>Ibid., Part 6, 8105.

hood. Such idealistic critics, he says, ignore the value of the United Nations as a means of making the present nation-state system work more effectively.<sup>1</sup> It is likewise the author's view that today's disenchantment is not really due to the Charter's having been "oversold" by the Senate in 1945, but is due largely, as Claude says, to the inability of many Americans to accept the fact that the United Nations must operate "within the context of the multistate system," since "the sovereign state [is] the basic entity of world political life. . . ."<sup>2</sup>

Furthermore, the Senate never promised the general public that the United Nations would evolve into an international cure-all for the world's problems. As pointed out earlier in this chapter, beneath the superficial air of optimism and hard-sell tactics displayed by the majority of the Charter's proponents, there existed much evidence of realism and objectivity. Thus, the senators did not promise that the United Nations would definitely succeed in accomplishing peace, they merely stressed that it would aspire to maintain peace. As has been shown, quite a few senators brought out potential weaknesses within the Charter and alluded to world conditions that could jeopardize its chances of success. Unfortunately, however, the spirit of

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<sup>1</sup>Claude, Swords into Plowshares, op. cit., p. 8.

<sup>2</sup>Ibid.

the times compelled the majority of senators to underplay these potential weaknesses while expounding at length on the virtues of the Charter. In short, the practical was not sufficiently intermingled with the idealistic in a consistently realistic fashion.

It does not appear that the opponents' prophecies of doom regarding the Charter were based on deep perception or special insight; such prophecies were, in fact, largely based on paranoid isolationism. The crux of their prophecies was that United States membership in the United Nations would undermine our national sovereignty, sap our resources, expose us to the mercy of domestic and foreign subversion, and, ultimately involve us in a third world war. None of these dire forecasts has as yet come to pass.

Nonetheless, the opponents' dialogue was an invaluable contribution to the debate, for it served to temper the prevailing optimism of the proponents, forcing them to pause and reflect on the possible infirmities of the Organization. Moreover, although their suspicions regarding the role of the United Nations vis-a-vis the United States were unfounded and thus invalid, many of their predictions concerning the decay of the wartime alliance and the ensuing problems of the postwar era were essentially accurate. Senators Langer, Shipstead, Wheeler, and Bushfield (the latter two voted for the Charter, but continually offered negative arguments during the debate) were certainly correct in predicting the



advent of the cold war and the negative effects it would have on the workings of the Security Council. In addition, their contention that selfish nationalism and mistrust among nations would prevent the United Nations from implementing effective peace-keeping operations has come true to a large extent.

A significant core of senators, best described as "semi-opponents" or "reluctant supporters," also played an important role in the debate. These senators supported the basic goals and objectives of the Charter, but frequently expressed reservations about its specific provisions and also revealed doubt as to the prospects of the United Nations ever attaining the goals espoused by the Charter. Prominent among these senators were Warren Austin (R., Vt.), Owen Brewster (R., Me.), Styles Bridges (R., N.H.), C. Wayland Brooks (R., Ill.), Homer Capehard (R., Ind.), Arthur Capper (R., Kans.), Guy Corydon (R., Ore.), J. William Fulbright (D., Ark.), Albert Hawkes (R., N.J.), Eugene Millikin (R., Col.), Francis Myers (D., Penn.), Leverett Saltonstall (R., Mass.), Robert Taft (R., Ohio), Alexander Wiley (R., Wis.), and Raymond Willis (R., Ind.).<sup>1</sup> It is interesting to note that among these fifteen senators, only Fulbright and Myers were Democrats. In retrospect it seems that the Democrats felt a pressing obligation to follow the prece-

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<sup>1</sup>U.S., Congressional Record, 79th Cong., 1st Sess. (1945), IXC, Part 6, 7962.

dents established in their ranks by such prestigious individuals as Roosevelt, Truman, Senate Majority Leader Alben Barkley, and Chairman of the Foreign Relations Committee Tom Connally. The Republicans, on the other hand, were less easily wooed by the solicitations of Minority Leader Arthur Vandenberg, and this fact, coupled with their more conservative inclinations, helped to bring more realism to the debate.

### III. A PROSPECTIVE VIEW OF THE DEBATE IN THE LIGHT OF CURRENT DISILLUSIONMENT

Over twenty-five years have now passed since the Senate's debate over ratification of the Charter. Much of what was said during that debate is significant and relevant today, especially in the light of the current disillusionment about the United Nations. What, it may be asked, are the primary criticisms of the Charter today, and how do they compare with the objections and criticism that were made at the time of the debate?

Today, both idealists and skeptics allege that the United Nations has failed to cope effectively with the problems of the times or to realize the dreams of its proponents. As Padleford and Lincoln have said:

It is hard for people to accept the fact that problems in foreign affairs are rarely solved. They

are more often worn out or simply replaced by other and more difficult problems.<sup>1</sup>

On one hand, the Charter is attacked by idealists as being weak and ineffectual, and they say it should be discarded in favor of a system of world government.

On the other end of the political spectrum, reactionaries charge that the Charter is a diabolical scheme that has eroded America's sovereignty and continually threatens to engage this country in another world war. In light of such criticisms, what are the future prospects of the Charter, and how may these prospects be related to the 1945 debate?

As was suggested above, the United Nations has served as a fairly effective instrument of peace so far, and it will probably continue to do so in the future, with certain limitations. It has proven to be an active, near-universal organization, and it has afforded the nations of the world a common meeting ground for their diplomacy. Beyond this, it has proven to be useful in several past disputes, such as Suez, the Congo, and Cuba. Cecil Crabb pointed out, for example, that during the Cuban missile crisis in 1962:

. . . if Washington did not lean initially upon the United Nations to deal with the threat of communist intrusion into the Western Hemisphere, it at least was willing to accept subsequent attempts by the United Nations to mitigate the crisis and to avert

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<sup>1</sup> Norman Padelford and George Lincoln, The Dynamics of International Politics, op. cit., p. 478.

a head-on American-Soviet military confrontation.<sup>1</sup>

The United Nations has thus survived numerous crises and seen its way through the height of the East-West split. In the meantime, it has adapted to the unremitting tensions between the Western powers and the "have not" nations of the Third World.

In 1971, the United Nations appears to have survived its "growing pains" and settled into a period of less glamour and excitement under the leadership of Secretary-General U Thant. Thant seems to believe that the United Nations is not the proper organ for settling major differences which involve the East-West struggle (i.e., the Soviet Union and United States), and he has abandoned the peace-keeping schemes devised by his predecessors, save one-- "talk." Perhaps multilateral talk is the true value of the United Nations today, for it means an opportunity for the nations of the world, particularly the smaller ones that cannot afford the channels of unilateral diplomacy, to discuss world tensions and problems openly and freely as an alternative to waging war. Again it needs to be stressed that the United Nations has served as an agent of good will by bringing the nations of the world closer together through

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<sup>1</sup> Cecil V. Crabb, Jr., American Foreign Policy in the Nuclear Age (second edition; New York: Harper and Row, 1965), p. 33; see also Rosalyn Higgins, United Nations Peacekeeping 1946-1967 (London: Oxford University Press, 1969).

social, economic, and humanitarian endeavors.

At the time of the debate, the prospects of the United Nations certainly were no brighter than they are today. In fact, with the approaching cold war, it is probable that the promise of that Organization was considerably less in 1945. Because it was a new experiment which was a follow-up to a devastating World War, however, it was heralded by many as the only salvation of mankind.

It is well to recall that the two basic conditions which the 1945 senators stressed as prerequisites for the success of the United Nations are still absent today: a common consensus among the member states as to the goals and objectives of the Organization, and a climate of opinion of mutual trust and tolerance. The realities of world politics and fanatical nationalism will doubtless always impede the realization of such conditions. It was nevertheless believed in 1945, as it is today, that feelings of trust and mutuality among nations can develop in a slow, evolutionary manner, and that the United Nations offers the best vehicle for such a development.

In conclusion, this study has sought to show that the senatorial debate over ratification of the Charter was relevant to the future shape and reputation of the United Nations. As has been demonstrated, many of the arguments and apprehensions offered by the senators in 1945 are just

as applicable today as they were then. To be sure, history has had a sobering effect on the evangelical fervor which surrounded the Charter's adoption in 1945, but the basic contentions of the Senate that there was a clear need for an international peace-keeping organization and that, until a superior alternative was offered, the United Nations must serve that need, are still valid. As Senator Arthur Capper of Kansas said in 1945:

No one makes the claim that it [the Charter] is a perfect instrument. Nor does anyone believe that a perfect instrument can be devised, making allowances for the vagaries of human nature, and the chances for misunderstanding among nations and people with highly different cultures, ideologies, and forms of government.<sup>1</sup>

So it was that, through its debate, the Senate advanced the hope that the United Nations would prove to be a viable mechanism by which the peoples and nations of the world would substitute the exercise of forbearance and reason for military adventurism as the chief means of settling disputes between nations. That hope is still alive and still guides the United Nations in the international arena.

If the senators back in 1945 did not see everything that we now perceive with our twenty-twenty hindsight, they at least foresaw many of the difficulties and problems that

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<sup>1</sup> Congressional Record, 79th Cong., 1st Sess. (1945), IXC, Part 6, 8087.

the United Nations would ultimately confront. And if the Senate is to be faulted today, it should perhaps be faulted not so much for its high hopes and aspirations as for its excessive haste in debating and approving the Charter. But even granting that, it seems unfair today to blame the Senate retrospectively for the skepticism about the United Nations that today affects American public opinion. The garments of prophecy are no more becoming to United States senators than to scholars.

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